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Appointments to fill vacancies in subsidiary organs and other appointments: appointment of the judges of the United Nations Dispute Tribunal

Programme budget for the biennium 2016-2017

Administration of justice at the United Nations

Administration of justice at the United Nations

Report of the Secretary-General

Summary

The General Assembly, by its resolutions 61/261, 62/228 and 63/253, decided to establish an independent, transparent, professionalized, adequately resourced and decentralized system of administration of justice for the United Nations. This system commenced operation on 1 July 2009.

The General Assembly has noted with appreciation the achievements of the system since its inception, has acknowledged its evolving nature and has continued to monitor the system to ensure that it achieves its mandate.

In the present report, the Secretary-General provides information on the functioning of the system of administration of justice for the calendar year 2015 and offers observations with respect thereto.

In its resolution 70/112, the General Assembly requested the Secretary-General to report to it on a number of matters at its seventy-first session. The present report includes a consolidated response to those requests.

* A/71/150.

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I. Overview

1. The current system of administration of justice at the United Nations was established by the General Assembly in its resolutions 61/261, 62/228 and 63/253 and came into operation on 1 July 2009. The Assembly decided in resolution 61/261 that the system would be independent, transparent, professionalized, adequately resourced and decentralized and would operate in a manner consistent with the relevant rules of international law and the principles of the rule of law and due process to ensure respect for the rights and obligations of staff members and the accountability of managers and staff members alike.

2. The steps and processes in the formal system and their links with the informal system are depicted in annex I.

3. The present report reviews the functioning of the formal system in 2015 and provides statistics and observations with respect thereto. It also responds to specific requests of the General Assembly in its resolution 70/112 for consideration at its seventy-first session.

4. The Secretary-General's comments on the report of the Interim Independent Assessment Panel are contained in document A/71/163.

II. Review of the formal system of justice

A. Observations on the operation of the formal system of administration of justice

5. There was a decrease in the number of requests for management evaluation from staff in the Secretariat. In 2015, the Management Evaluation Unit received 873 requests, down from 1,541 in 2014.[1] Over 75 per cent of the requests in 2015 related to retrenchment exercises in the field. Some of those requests were clustered, meaning that either staff members made one request as a group, or made individual requests that were substantially similar, if not identical. Several clustered requests involved staff from the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and the African Union-United Nations Hybrid Operation in Darfur (UNAMID).

6. While the overall number of requests for management evaluation decreased in 2015, the number submitted from staff in the field increased. Prior to 2013, around 30 per cent of requests came from staff in peacekeeping and special political missions. That increased to 63 per cent in 2014 and to 77 per cent in 2015. The increase was due largely to rostering and retrenchment exercises in the field.

7. The Office of Staff Legal Assistance experienced an increase in requests for legal assistance. The Office received 1,502 requests for legal assistance in 2015, an increase from 1,180 in 2014. Several clusters of requests involved staff from MONUSCO and UNAMID. The number of applications before the United Nations Dispute Tribunal in which the Office acted as counsel increased from 102 in 2014 to 415 in 2015. That increase was due to a group of 245 applications from past and

[1] The figure for 2014 included more than 600 requests from the field in relation to the rostering exercise (see A/70/187, paras. 7 and 20).

present staff from the International Tribunal for the Former Yugoslavia relating to conversion to permanent appointment, for which the Office became co-counsel,[2] and a group of 60 applications from staff from MONUSCO relating to the non-renewal of fixed-term appointments because of the abolition of posts. The number of appeals before the United Nations Appeals Tribunal in which the Office acted as counsel remained stable at 16, compared with 15 in 2014.

8. There was an increase in the number of applications received by the Dispute Tribunal. In 2015, the Dispute Tribunal received 438 new applications, compared with 411 in 2014. The new applications included two clusters: a second group of applications relating to the periodic salary survey referred to in the previous report of the Secretary-General (see A/70/187, para. 7), and the above-mentioned group of applications from MONUSCO staff relating to the non-renewal of fixed-term appointments because of the abolition of posts. The Dispute Tribunal issued 126 judgments in which it disposed of 327 applications (including 8 judgments in which it disposed of 209 applications), and disposed of a further 153 applications by order.

9. The number of applications received by the Dispute Tribunal was reflected in the workload of the Administrative Law Section of the Office of Human Resources Management in the Department of Management, which represents the Secretary-General before the Dispute Tribunal. In 2015, 263 new applications were transmitted to the Section, compared with 168 in 2014. Of the new applications, 165 were filed by staff in the field, of which more than 100 related to separation from service. The number of applications challenging the imposition of disciplinary measures decreased.

10. There was an increase in the number of appeals received by the Appeals Tribunal: 191 appeals were received in 2015 compared with 137 in 2014. The increase was due largely to the first group of periodic salary survey applications, referred to in the previous report of the Secretary-General (see A/70/187, para. 7), that were adjudicated by the Dispute Tribunal in 2014 being appealed to the Appeals Tribunal in 2015. The ratio of appeals filed by staff compared to appeals filed on behalf of the Secretary-General increased in 2015; 89 per cent of the appeals in 2015 were filed by staff, compared with 64 per cent in 2014. The total number of judgments increased to 114 in 2015 from 100 in 2014, but the number of judgments in which the Secretary-General was a party remained stable (80 in 2015, compared with 82 in 2014).

11. The Office of Legal Affairs, which represents the Secretary-General before the Appeals Tribunal, experienced an increase in the number of submissions filed with the Appeals Tribunal, from 150 in 2014 to 189 in 2015. This was due to the above-mentioned periodic salary survey appeals filed with the Appeals Tribunal, in relation to which the Office filed 98 submissions.

12. As illustrated by the foregoing and as identified in previous reports (see A/70/187, para. 7, and A/69/227, para. 12), clustered or group applications brought by large numbers of staff members in connection with certain administrative decisions appear to have become an ongoing feature or trend in the formal system, although the particular issues may change from year to year.

[2] The International Tribunal for the Former Yugoslavia cases were filed with the Dispute Tribunal in 2014; the Office of Staff Legal Assistance became co-counsel in 2015.

13. There was a decrease in the percentage of self-represented staff members in applications received by the Dispute Tribunal (51 per cent, compared with 60 per cent in 2014). There was an increase in the percentage of self-represented staff members in appeals received by the Appeals Tribunal (78 per cent, compared with 53 per cent in 2014).

14. In 2015, there was continued emphasis on efforts to resolve applications in the formal system through informal means, resulting in the resolution of a significant number of applications pending in the formal system without the need for a final adjudication on the merits. Of the 873 requests for management evaluation received in 2015, 136 were resolved through the efforts of the Management Evaluation Unit, by the decision makers or with the involvement of the Office of Staff Legal Assistance and/or the Office of the United Nations Ombudsman and Mediation Services. A total of 76 matters before the Dispute Tribunal were either informally resolved between the parties or as a result of case management by the Dispute Tribunal, or were withdrawn by applicants or mediated by the Office of the United Nations Ombudsman and Mediation Services.

B. Management Evaluation Unit

1. Mandate

15. Management evaluation is the first step in the formal system of administration of justice. The core functions of the Management Evaluation Unit are to: (a) carry out timely management evaluations of non-disciplinary administrative decisions contested by staff members relating to their terms and conditions of appointment; (b) assist the Under-Secretary-General for Management in providing timely and reasoned responses to management evaluation requests; and (c) assist the Under-Secretary-General in realizing managerial accountability (see ST/SGB/2010/9, sect. 10).

16. The management evaluation process provides the Administration with an opportunity to prevent unnecessary litigation and to collect lessons learned for decision makers in order to encourage better and more consistent decision-making.

17. In cases in which the Management Evaluation Unit recommends that a contested administrative decision be upheld, a written reasoned response setting out the basis for the management evaluation is sent to the staff member concerned. That reasoned response is an important means of displaying fairness and establishing the credibility of the process. The Unit considers that, in many cases, staff members who have sought recourse to the formal system — owing to a perceived lack of transparency or respect for them in the administrative decision-making process — are more likely to forgo recourse to the Dispute Tribunal following the management evaluation, as they perceive the process to be objective and fair.

18. From its inception on 1 July 2009 to 31 December 2015, the Unit received a total of 5,747 management evaluation requests: 184 in 2009; 427 in 2010; 952 in 2011; 837 in 2012; 933 in 2013; 1,541 in 2014; and 873 in 2015. As at 31 December 2015, the Unit had closed 5,398 requests in total and had recommended compensation with respect to 89 management evaluation requests in total.

19. Table 1 below shows the disposition of management evaluation requests filed in 2015 and closed by 31 December 2015. Table 2 below shows the outcome of

cases that proceeded to the Dispute Tribunal following management evaluation and were decided on the merits by the Dispute Tribunal in 2015.

Table 1
Disposition of management evaluation requests filed in 2015

Requests filed in 2015	*Decisions upheld*	*Decisions reversed*	*Requests moot*[a]	*Requests settled*	*Requests not receivable*	*Requests withdrawn*[a]	*Requests misrouted*	*Requests pending from 2015*[b]	*Decisions appealed and decided by Dispute Tribunal in 2015*
873	156	6	91	22	222	23	8	345	91

[a] Includes mutually agreed resolutions.
[b] The number of closed cases as at 31 March 2016 was 856, thus reducing the number of pending cases to 17.

Table 2
Outcome of cases in the United Nations Dispute Tribunal in 2015[a]

Upheld	*Partially upheld*	*Overturned*
40	6	16[b]

[a] Encompasses cases decided by the Dispute Tribunal on the merits. Twelve applications in or prior to 2015 were withdrawn or discontinued for want of prosecution.
[b] Includes two judgments encompassing a group of staff members from the International Tribunal for the Former Yugoslavia contesting the denial of conversion to permanent appointment.

20. Of the 873 requests received in 2015, the Unit had closed 528 by the end of 2015. Of the requests closed, 136 (26 per cent) were resolved through efforts by the Unit or the decision makers themselves or with the involvement of the Office of Staff Legal Assistance or the Office of the United Nations Ombudsman and Mediation Services. In 44 per cent of closed cases, the request for review of the contested decision was deemed not receivable.

21. Of the 873 requests filed in 2015, 160 involved decisions that were challenged by staff members before the Dispute Tribunal by 31 March 2016.

22. In 2015, the Tribunal disposed of 62 applications on the merits in cases previously submitted for management evaluation. In those cases, the disposition by the Tribunal was consistent in full with the position taken in the management evaluation in 40 cases (approximately 65 per cent).

23. Of the 528 cases that were received and closed in 2015, 6 included the payment of compensation ranging from $500 to $41,499, thereby avoiding further litigation and eliminating further exposure to potential awards of compensation. The remaining cases were resolved either by paying entitlements that were otherwise due to the staff member or by means of a non-monetary remedy. In 2015, compensation was also paid to four staff members who had filed requests in 2014. Information on compensation paid in accordance with recommendations by the Management Evaluation Unit is set out in annex V, section A, to the present report.

2. Caseload, statutory time limits and resources

24. The caseload of the Management Evaluation Unit increased from 1 July 2009 to 31 December 2011, reaching 952 management evaluation requests in 2011; however, this included some 310 similar requests. In 2012, the number of requests levelled off at 837, but increased to 933 in 2013. In 2014, the number of cases rose to 1,541.[3]

25. In 2015, the Unit received 873 requests. Given that this significantly high volume of requests for the year is consistent with the average in previous years, the Unit continued to face challenges in meeting the statutory deadlines for management evaluation (30 calendar days for Headquarters staff and 45 calendar days for staff at offices away from Headquarters). This increased caseload was exacerbated by fluctuations in staffing in a small Unit.

26. The workload of the Unit in reviewing requests was affected by its approach to dealing actively with requests and reaching out to staff members and managers and by its task of analysing potential lessons learned and formulating those lessons into guides and presentations to managers. Moreover, the Unit continued to try to resolve cases before staff members resorted to litigation. Such resolution involves extensive communication with the staff member and the decision maker(s) and may exceed the statutory time frame. Furthermore, the Unit needed to track data on management evaluation requests through its database (MEUtrix) and manual cross reference with the published decisions of the Tribunals, which involved time-consuming data entry and database maintenance.

C. Management evaluation in the funds and programmes

27. Information concerning the numbers and disposition of requests for management evaluation in the funds and programmes in 2015 is set out in section II.H below.

D. United Nations Dispute Tribunal

1. Composition

28. During the reporting period, the composition of the Dispute Tribunal was as follows:

(a) Judge Vinod Boolell (Mauritius), full-time judge based in Nairobi;

(b) Judge Memooda Ebrahim-Carstens (Botswana), full-time judge based in New York;

(c) Judge Thomas Laker (Germany), full-time judge based in Geneva;

(d) Judge Goolam Hoosen Kader Meeran (United Kingdom of Great Britain and Northern Ireland), half-time judge;

[3] The increase in 2014 was due primarily to two factors: (a) requests submitted by 637 staff members relating to the outcome of one large Field Service recruitment exercise involving 28 generic job openings and more than 30,000 applicants; and (b) requests from some 260 staff members from the International Tribunal for the Former Yugoslavia contesting the decision not to grant a permanent appointment.

(e) Judge Coral Shaw (New Zealand), half-time judge;

(f) Judge Nkemdilim Amelia Izuako (Nigeria), ad litem judge based in Nairobi;

(g) Judge Alessandra Greceanu (Romania), ad litem judge based in New York;

(h) Judge Rowan Downing, (Australia), ad litem judge based in Geneva.

29. In its resolution 70/112, the General Assembly extended the term of the three ad litem judge positions for one year, from 1 January to 31 December 2016.

30. During the reporting period, the judges of the Dispute Tribunal held one plenary meeting in New York from 23 to 27 February 2015. Judge Boolell was elected President of the Dispute Tribunal for one year, from 1 July 2015 to 30 June 2016.

2. Judicial activities

(a) Caseload

31. As at 1 January 2015, 317 applications were pending. In 2015, the Dispute Tribunal received 438 new applications and disposed of 480 applications. As at 31 December 2015, 275 applications were pending. The new applications included two groups of related applications: (a) a group of applications relating to a periodic salary survey (see A/70/187, para. 7); and (b) a group of applications relating to the non-renewal of fixed-term appointments because of the abolition of posts. Table 3 below shows the number of applications received, disposed of and pending for the period from 2009 to 2015. Table 4 below shows the breakdown by Registry.

Table 3
United Nations Dispute Tribunal applications received, disposed of and pending: 2009-2015

Year	*Applications received*	*Applications disposed of*	*Applications pending (end of year)*
2009	281	98	183
2010	307	236	254
2011	281	271	264
2012	258	260	262
2013	289	325	226
2014	411	320	317
2015	438[a]	480[b]	275
Total	**2 265**	**1 990**	–

[a] Included 85 applications for suspension of action.

[b] Included 84 applications for suspension of action (10 of which were withdrawn); 66 other withdrawn applications (including as a result of informal resolution); 3 applications closed by inter-registry transfer; 2 applications for interpretation of judgment; 2 applications for revision of judgment; and 2 applications closed for want of prosecution. Of the applications disposed of, 252 were filed in 2015, 191 in 2014, 20 in 2013, 11 in 2012 and 6 in 2011.

Table 4
United Nations Dispute Tribunal applications received, disposed of and pending, by Registry

	Applications received			*Applications disposed of*			*Applications pending (end of year)*		
Year	*Geneva*	*Nairobi*	*New York*	*Geneva*	*Nairobi*	*New York*	*Geneva*	*Nairobi*	*New York*
2009	108	74	99	57	19	22	51	55	77
2010	120	80	107	101	59	76	70	76	108
2011	95	89	97	119	59	93	46	106	112
2012	94	78	86	106	76	78	34	108	120
2013	75	96	118	77	103	145	32	101	93
2014	209	115	87	67	128	125	174	88	55
2015	182	190	66	285	127	68	71	151	53
Total	**883**	**722**	**660**	**812**	**571**	**607**	–	–	–

(b) Number of judgments, orders and court sessions

32. Table 5 below shows the total number of judgments, orders and court sessions for the period from 1 July 2009 to 31 December 2015. Table 6 below shows the breakdown by duty station. It should be noted that not all applications are disposed of by way of judgment, and one judgment may dispose of more than one application.

Table 5
United Nations Dispute Tribunal judgments, orders and court sessions: 2009-2015

Year	*Judgments*	*Orders*	*Court sessions*[a]
2009	97	255	172
2010	217	679	261
2011	219	672	249
2012	208	626	187
2013	181	775	218
2014	148	827	258
2015	126[b]	991[c]	192
Total	**1 196**	**4 825**	**1 537**

[a] A "court session" is a statistical unit used to ensure consistency among the three Dispute Tribunal Registries in reporting on hearings. A hearing may consist of several daily court sessions (morning, afternoon, evening) and may be held over several days. In 2015, the court sessions included 102 case management discussions covering 129 cases.

[b] The 126 judgments disposed of 327 applications (8 judgments disposed of 209 related applications, 4 judgments disposed of 4 applications for interpretation or revision of judgment, 1 judgment disposed of 1 application for want of prosecution and 113 judgments disposed of 113 other applications).

[c] Includes orders that disposed of 153 applications (the 74 applications for suspension of action that proceeded; 76 withdrawals; and 3 inter-registry transfers, all referred to in footnote *b* to table 3 above); 541 orders relating to case management; 114 orders relating to extension of time; and 144 other orders.

Table 6
United Nations Dispute Tribunal judgments, orders and court sessions, by Registry

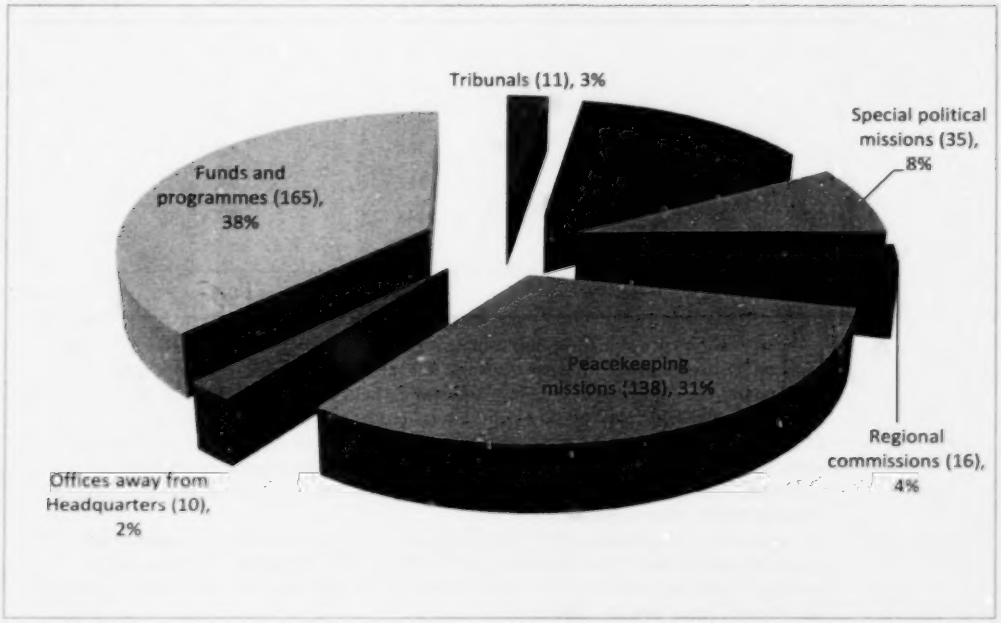
	Judgments			*Orders*			*Court sessions*		
Year	*Geneva*	*Nairobi*	*New York*	*Geneva*	*Nairobi*	*New York*	*Geneva*	*Nairobi*	*New York*
2009	44	20	33	39	26	190	21	33	118
2010	83	52	82	93	248	338	54	116	91
2011	86	52	81	224	144	304	54	117	78
2012	79	65	64	172	183	271	24	88	75
2013	41	67	73	201	219	355	32	114	72
2014	37	67	44	197	275	355	31	119	108
2015	48	40	38	272	405	315	58	66	68
Total	**418**	**363**	**415**	**1 198**	**1 500**	**2 128**	**274**	**653**	**610**

(c) Sources of applications

33. The categories of applicants who filed in 2015 were as follows: Director (33); Professional (132); General Service (183); Field Service (33); Security (7); National Staff (42); and Others (17).

34. The 438 applications received during the reporting period were filed by staff members of a number of United Nations entities, illustrated in figure I below.

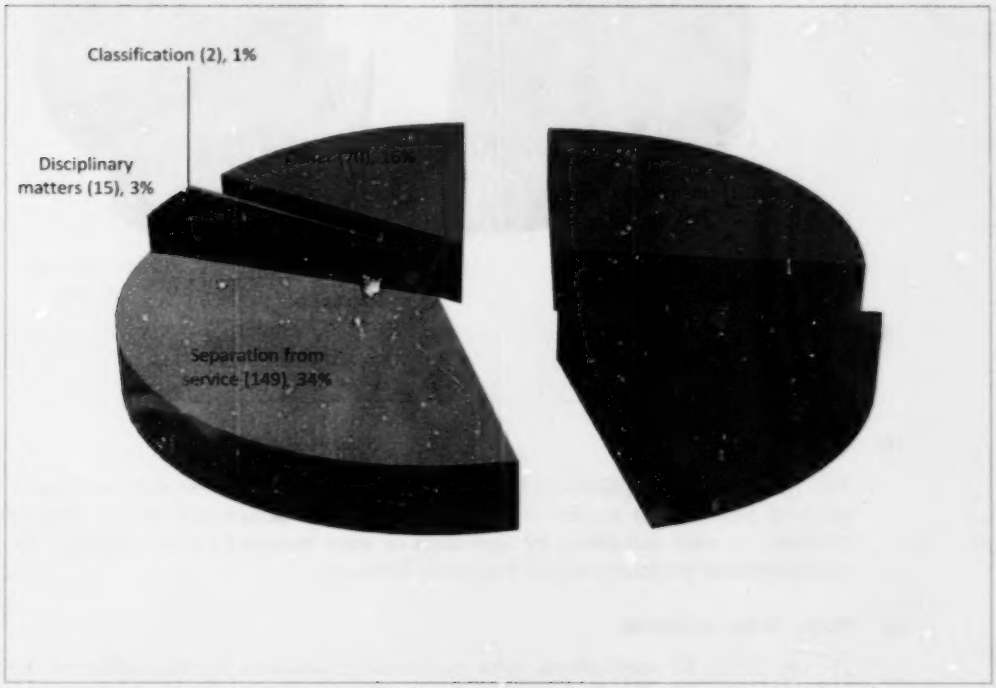
Figure I
Breakdown of applications by entity of the staff member


Tribunals (11), 3%
Special political missions (35), 8%
Funds and programmes (165), 38%
Peacekeeping missions (138), 31%
Regional commissions (16), 4%
Offices away from Headquarters (10), 2%

(d) Subject matter of applications

35. Applications received during the reporting period fell into six main categories: (a) benefits and entitlements: 117 applications; (b) appointment-related matters (non-selection, non-promotion and other related matters): 85 applications; (c) separation from service (non-renewal and other separation matters): 149 applications; (d) disciplinary matters:[4] 15 applications; (e) classification: two applications; and (f) other: 70 applications. This is illustrated in figure II below.

Figure II
Applications received, by subject matter



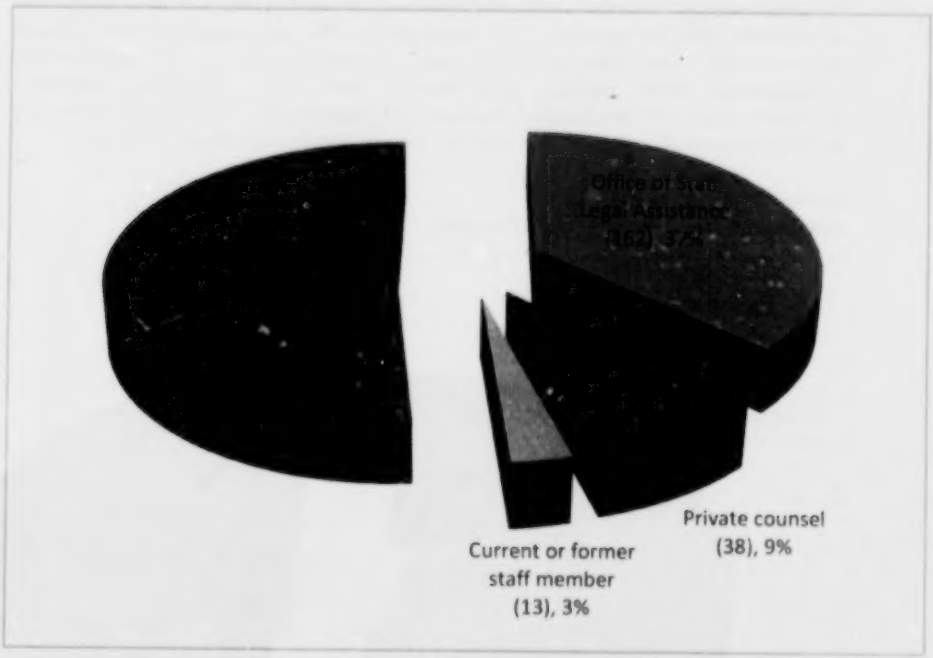
(e) Representation of staff members

36. The Office of Staff Legal Assistance provided representation in 162 of the 438 applications received in 2015.[5] In 38 applications, staff members were represented by private counsel; in 13 applications, staff members were represented by volunteers who were either current or former staff members of the Organization; and in 225 applications, staff members represented themselves. This is illustrated in figure III below.

[4] Includes challenges to disciplinary measures imposed.

[5] The Office's data on representation before the Dispute Tribunal differs because the Office became co-counsel in 2015 with respect to a number of applications filed with the Dispute Tribunal in 2014.

Figure III
Representation of staff members



(f) Informal resolution

37. A total of 76 applications before the Dispute Tribunal either were informally resolved between the parties or as a result of case management by the Dispute Tribunal, or were withdrawn by applicants or were mediated by the Office of the United Nations Ombudsman and Mediation Services.

(g) Referral for mediation

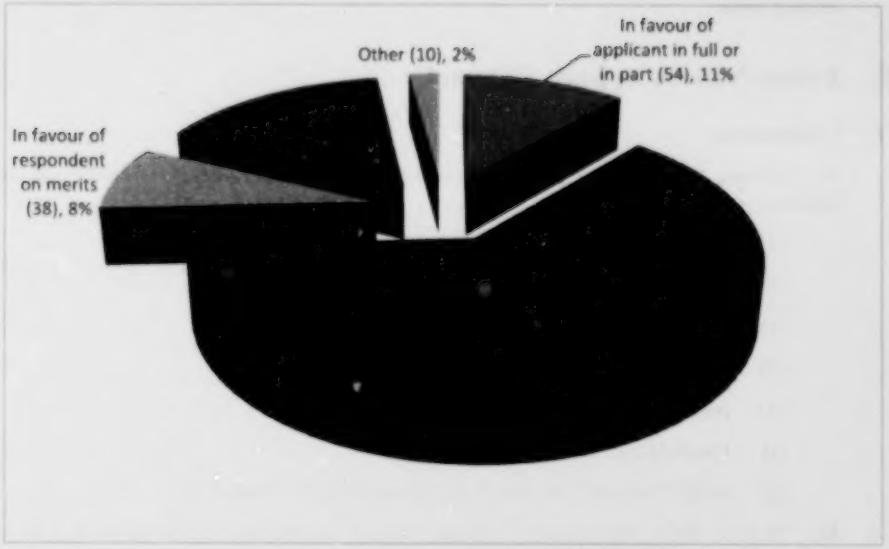
38. In 2015, 15 applications were successfully mediated by the Office of the United Nations Ombudsman and Mediation Services following a referral by the Dispute Tribunal under article 10.3 of its statute.

(h) Outcomes

39. The outcomes of the 480 applications disposed of by the Dispute Tribunal in 2015 are illustrated in figure IV below. The applications that were informally resolved or withdrawn while they were pending before the Tribunal are included under "Withdrawals".

40. The applications rejected on receivability included more than 200 related applications that concerned one particular matter.

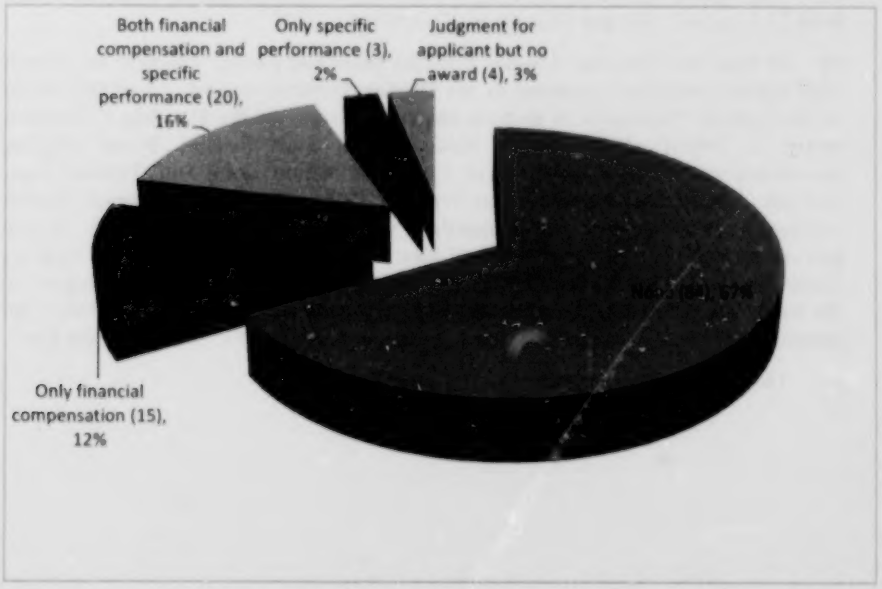
Figure IV
Outcome of applications disposed of



(i) Relief

41. The Dispute Tribunal ordered relief as set out in figure V below.

Figure V
Relief granted to applicants


Both financial compensation and specific performance (20), 16%
Only specific performance (3), 2%
Judgment for applicant but no award (4), 3%
Only financial compensation (15), 12%

(j) Referral for accountability

42. The Dispute Tribunal made three referrals for accountability under article 10.8 of its statute.

E. United Nations Appeals Tribunal

1. Composition

43. During the reporting period, the composition of the Appeals Tribunal was as follows:

(a) Judge Richard Lussick (Samoa);

(b) Judge Rosalyn Chapman (United States of America);

(c) Judge Inés Weinberg de Roca (Argentina);

(d) Judge Sophia Adinyira (Ghana);

(e) Judge Luis María Simón (Uruguay);

(f) Judge Mary Faherty (Ireland);

(g) Judge Deborah Thomas-Felix (Trinidad and Tobago).

44. In June 2015, the Appeals Tribunal elected its Bureau for the term of 1 July 2015 to 30 June 2016, with Judge Chapman serving as President, Judge Adinyira as First Vice-President and Judge Thomas-Felix as Second Vice-President.

2. Judicial work

(a) Sessions

45. The Appeals Tribunal held three sessions in 2015: from 16 to 27 February, from 22 June to 3 July and from 19 to 30 October.

46. At those sessions, the Appeals Tribunal heard and passed judgment on appeals filed against judgments rendered by the Dispute Tribunal (see art. 2.1 of the statute of the Appeals Tribunal); on appeals against decisions of the Standing Committee acting on behalf of the United Nations Joint Staff Pension Board alleging non-observance of the Regulations of the United Nations Joint Staff Pension Fund (see art. 2.9 of the statute of the Appeals Tribunal); and on appeals against judgments and decisions in connection with entities that concluded special agreements with the Secretary-General (see art. 2.10 of the statute of the Appeals Tribunal): the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the International Civil Aviation Organization (ICAO), the International Court of Justice and the International Tribunal for the Law of the Sea.

47. The Appeals Tribunal held two oral hearings in 2015.

(b) Caseload

48. As at 1 January 2015, the Appeals Tribunal had 101 appeals pending. During the reporting period, it received 191 new appeals[6] and disposed of 145 appeals.[7] As at 31 December 2015, it had 147 appeals pending.

49. Table 7 below shows the number of appeals received, disposed of and pending for 2015 and previous years. There was a 39 per cent increase in the number of appeals received in 2015 compared with in 2014, which was due largely to the first group of periodic salary survey applications that were adjudicated by the Dispute Tribunal in 2014 being appealed to the Appeals Tribunal in 2015 (see A/70/187, para. 7).

Table 7
United Nations Appeals Tribunal appeals received, disposed of and pending: 2009-2015

Year	*Appeals received*	*Appeals disposed of*	*Appeals pending*
2009	19	–[a]	19
2010	167	95	91
2011	96	104	83
2012	142	103	122
2013	125	137	110
2014	137	146	101
2015	191	145	147
Total	**877**	**729**	–

[a] The Appeals Tribunal did not hold a session in 2009; it held its first session in the spring of 2010.

50. Table 8 below shows the number of interlocutory motions received in 2015 and in previous years.

Table 8
Interlocutory motions received: 2010-2015

Year	*Interlocutory motions received*
2010	26
2011	38
2012	45
2013	39
2014	84
2015	81
Total	**313**

[6] The 191 new appeals included 6 applications for revision, correction or execution of the Appeals Tribunal judgments or for confidentiality.

[7] The Appeals Tribunal disposed of 128 appeals by judgment and closed 18 appeals by judicial order or administratively.

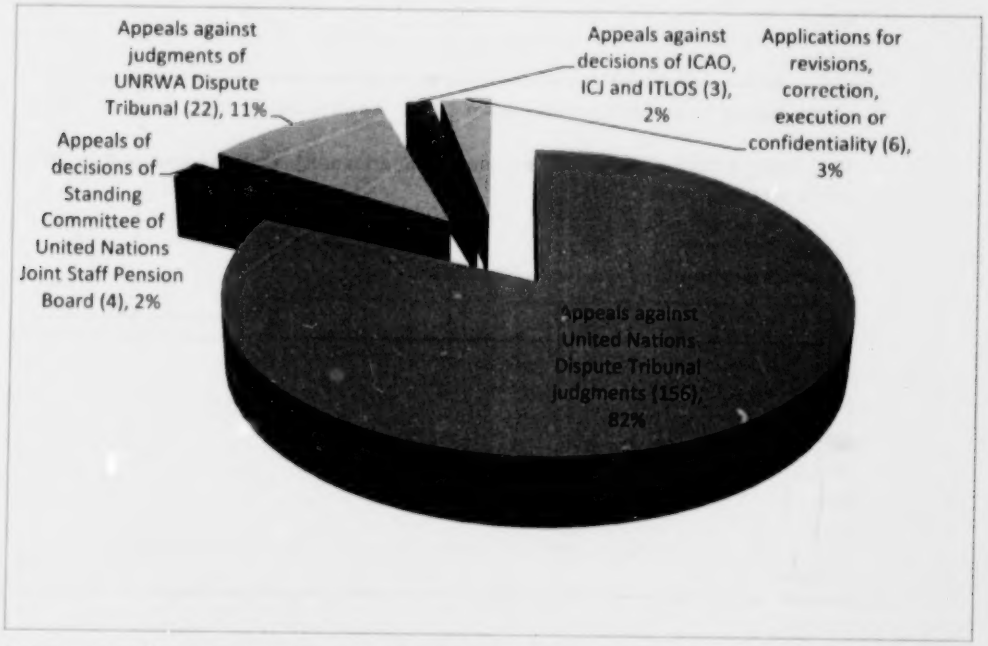
(c) Sources of appeals

51. The 191 new appeals included 156 appeals against judgments of the Dispute Tribunal (139 filed by staff members and 17 filed on behalf of the Secretary-General); 4 appeals against decisions of the Standing Committee acting on behalf of the United Nations Joint Staff Pension Board; 22 appeals against judgments rendered by the UNRWA Dispute Tribunal (21 brought by staff members and 1 brought on behalf of the Commissioner-General); 1 appeal against a decision of the Secretary-General of ICAO; 1 appeal against a decision of the Registrar of the International Court of Justice; and 1 appeal against a decision of the Registrar of the International Tribunal for the Law of the Sea. The new appeals also included one application for revision of an Appeals Tribunal judgment, one application for correction of an Appeals Tribunal judgment, two applications for execution of Appeals Tribunal judgments and two applications for confidentiality filed by non-parties.

52. The ratio of appeals filed by staff members compared with those filed on behalf of the Secretary-General changed from 2014 to 2015. In 2014, 64 per cent of the appeals were filed by staff members and 36 per cent were filed on behalf of the Secretary-General. In 2015, 89 per cent of the appeals were filed by staff members and 11 per cent were filed on behalf of the Secretary-General.

53. Figure VI below shows the breakdown of the appeals received in 2015.

Figure VI
Breakdown of the appeals received


Appeals against judgments of UNRWA Dispute Tribunal (22), 11%
Appeals against decisions of ICAO, ICJ and ITLOS (3), 2%
Applications for revisions, correction, execution or confidentiality (6), 3%
Appeals of decisions of Standing Committee of United Nations Joint Staff Pension Board (4), 2%
Appeals against United Nations Dispute Tribunal judgments (156), 82%

Abbreviations: ICJ, International Court of Justice; ITLOS, International Tribunal for the Law of the Sea.

54. Table 9 below reflects a breakdown of judgments, orders and hearings for the Appeals Tribunal for the period from 2009 to 2015.

Table 9
United Nations Appeals Tribunal judgments, orders and hearings: 2009-2015

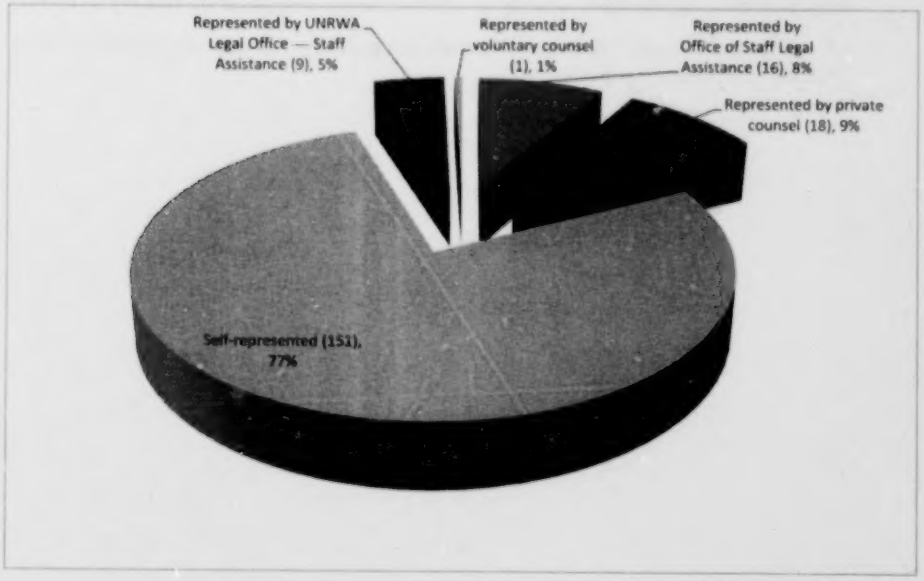
Year	*Judgments*	*Orders*	*Hearings*
2009	–	–	–
2010	102	30	2
2011	88	44	5
2012	91	45	8
2013	115	47	5
2014	100	42	1
2015	114[a]	39	2
Total	**610**	**247**	**23**

[a] Includes 77 Appeals Tribunal judgments on appeals against Dispute Tribunal judgments, 31 Appeals Tribunal judgments on appeals relating to decisions of other entities, and 6 judgments on applications for correction, execution, interpretation or revision.

(d) Representation of staff members

55. With regard to the 191 appeals received during the reporting period, in 12 appeals, 16 staff members (one appeal was filed jointly by 5 staff members) were represented by the Office of Staff Legal Assistance, 9 were represented by the UNRWA Legal Office — Staff Assistance, 18 were represented by private counsel, 1 was represented by voluntary counsel, and 151 were self-represented. This is illustrated in figure VII below.

Figure VII
Representation of staff members


Represented by UNRWA Legal Office — Staff Assistance (9), 5%
Represented by voluntary counsel (1), 1%
Represented by Office of Staff Legal Assistance (16), 8%
Represented by private counsel (18), 9%
Self-represented (151), 77%

(e) Outcomes

56. The 114 judgments rendered by the Appeals Tribunal in 2015 disposed of 89 appeals against Dispute Tribunal judgments in 77 Appeals Tribunal judgments, 1 appeal against a decision of ICAO, 2 appeals (three cases) against decisions of the International Court of Justice, 1 appeal against a decision of the International Tribunal for the Law of the Sea, 4 appeals against decisions of the Standing Committee of the United Nations Joint Staff Pension Board and 23 appeals against UNRWA Dispute Tribunal judgments. The Appeals Tribunal also rendered six judgments on applications for execution, correction, interpretation or revision, disposing of seven applications, which are included in the count of 114. The Appeals Tribunal further considered nine cross-appeals, which it disposed of in the respective judgments on the appeals; the cross-appeals are not counted separately.

57. Overall, the Appeals Tribunal disposed of 128 appeals by judgment and closed 18 appeals by judicial order or administratively.

58. The Appeals Tribunal issued four judgments on appeals against decisions taken by the Standing Committee acting on behalf of the United Nations Joint Staff Pension Board.

59. The Appeals Tribunal rendered 23 judgments disposing of 20 appeals filed by UNRWA staff members and 3 appeals filed by the UNRWA Commissioner-General.

60. The Appeals Tribunal rendered one judgment disposing of an appeal filed by a staff member of ICAO.

61. The Appeals Tribunal rendered one judgment on an appeal filed by a staff member of the International Tribunal for the Law of the Sea.

62. The Appeals Tribunal rendered two judgments disposing of three appeals of a staff member of the International Court of Justice.

63. The Appeals Tribunal rendered six judgments disposing of seven applications by staff members for interpretation, correction, revision or execution of judgments, including three applications relating to UNRWA and one application relating to ICAO.

64. Figures VIII and IX below illustrate the outcomes of appeals against Dispute Tribunal judgments, by party.

Figure VIII
Outcome of appeals filed by staff members against United Nations Dispute Tribunal judgments

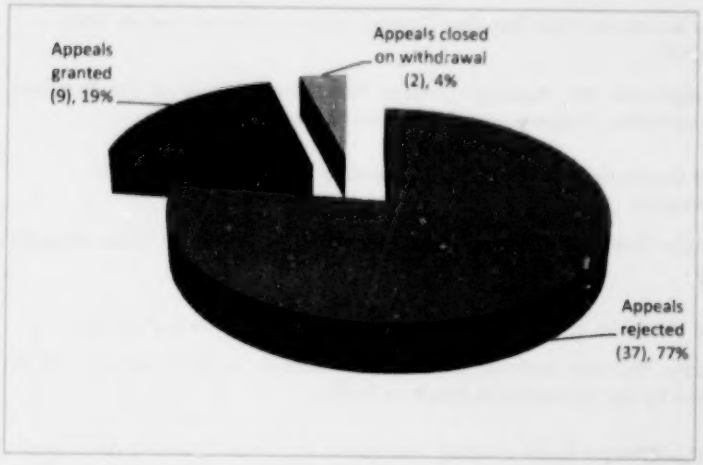
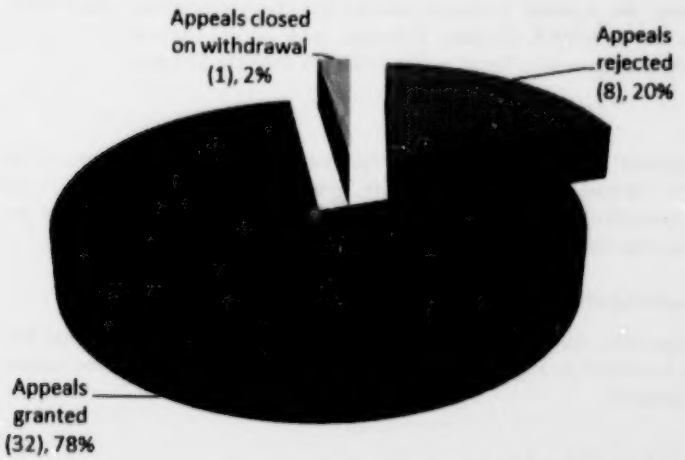


Figure IX
Outcome of appeals filed on behalf of the Secretary-General against United Nations Dispute Tribunal judgments



(f) Relief

(i) Appeals against United Nations Dispute Tribunal judgments

65. In six appeals, the Appeals Tribunal vacated or modified the award of compensation and vacated the specific performance ordered by the Dispute Tribunal. In 20 appeals, it vacated or modified the compensation awarded by the Dispute Tribunal, and in 7 appeals it vacated the Dispute Tribunal's specific performance order.

66. The Appeals Tribunal remanded seven appeals to the Dispute Tribunal. It also remanded one appeal for the establishment of a new fact-finding panel and one appeal to the Advisory Board on Compensation Claims.

(ii) Appeals against decisions of the Standing Committee of the United Nations Joint Staff Pension Board

67. In two judgments, the Appeals Tribunal remanded appeals to the Standing Committee of the United Nations Joint Staff Pension Board.

(iii) Appeals against decisions of the Secretary-General of the International Civil Aviation Organization

68. The Appeals Tribunal remanded one appeal to the Advisory Joint Appeals Board of ICAO.

(iv) Appeals against decisions of the Registrar of the International Court of Justice

69. The Appeals Tribunal ordered specific performance in three appeals where none was ordered by the International Court of Justice.

(v) Appeals against judgments by the Dispute Tribunal of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

70. In two appeals, the Appeals Tribunal vacated the specific performance order of the UNRWA Dispute Tribunal and the award of compensation.

71. In one appeal, the Appeals Tribunal ordered specific performance where none was ordered by the UNRWA Dispute Tribunal, and in one appeal, it ordered compensation where none was ordered by the UNRWA Dispute Tribunal.

(vi) Costs

72. In three appeals, the Appeals Tribunal vacated an order of costs against the Secretary-General. In two appeals, the Appeals Tribunal awarded costs against the staff members concerned. In two other appeals, the Appeals Tribunal affirmed the orders of costs against the staff members concerned.

(g) Referral for accountability

73. In four judgments, the Appeals Tribunal found that the Dispute Tribunal had erred in making a referral to the Secretary-General under article 10.8 of the statute of the Dispute Tribunal.

F. Office of Staff Legal Assistance

1. Framework

74. The Office of Staff Legal Assistance continued to provide legal advice and representation to United Nations staff worldwide, at all levels, in a wide range of employment matters. The Office also provided advice and representation to former staff members and their beneficiaries regarding rights that arose from their employment, including claims for pension and post-separation entitlements.

2. Outreach and training activities

75. In 2015, the Office of Staff Legal Assistance visited the five subregional offices of the Economic Commission for Africa (Lusaka, Niamey, Kigali, Rabat and Yaoundé), the United Nations Assistance Mission in Afghanistan, MONUSCO, and the Office of the United Nations High Commissioner for Refugees in Tyre, Lebanon. Legal officers gave presentations to staff members, staff associations and managers on the system of administration of justice at the United Nations, including the role of the Office of Staff Legal Assistance therein. The Office participated in regular outreach and training activities for staff members in the five duty stations with an Office presence (Addis Ababa, Beirut, Geneva, Nairobi and New York), in addition to outreach and training activities organized by staff associations at those duty stations.

76. Those activities provided invaluable opportunities to inform staff, staff associations and managers about the internal justice system, including the role of the Office. A recurring observation from the activities is that many staff members, especially in the deep field, have limited knowledge of the internal justice system, including the resources available to facilitate informal dispute resolution and how to access the Office, the Management Evaluation Unit and the Registries of the two Tribunals. The Office continues to receive and accept invitations from peacekeeping missions and other operations and from staff associations to conduct outreach and training activities.

77. During 2015, the Office refined plans for targeted outreach in 2016, with a focus on regions that have significant staff populations but no physical presence of the formal justice system, including East Asia, Latin America and Europe outside Geneva, and for duty stations with high opt-out rates from the voluntary supplemental funding mechanism for the Office.

3. Case statistics

78. The Office of Staff Legal Assistance provides a wide range of legal assistance to staff, including legal advice; advice and representation during informal dispute resolution and mediation; assistance with the management evaluation review and during the disciplinary process; and legal representation of staff before the Dispute Tribunal, the Appeals Tribunal and other recourse bodies. Each request for legal assistance is tracked as a "case", although the time and action required on the part of the legal officer can vary.

(a) Requests for legal assistance

79. In 2015, the Office received 1,502 new requests for legal assistance, and closed or resolved 1,443 such requests. There were 173 requests carried over into 2015 from previous years. As at 31 December 2015, there were 281 requests pending. The number of requests received and their breakdown by type of matter is illustrated in table 10.

Table 10

Number and type of requests for legal assistance received by the Office of Staff Legal Assistance: 2009-2015

Year	*Legal advice*	*Management evaluation matters*	*Representation before the United Nations Dispute Tribunal*	*Representation before the United Nations Appeals Tribunal*	*Disciplinary matters*	*Other*	*Total*
2009	171	62	168	13	155	31	600
2010	309	90	77	39	70	12	597
2011	361	119	115	21	55	10	681
2012	630	198	96	31	46	28	1 029
2013	491	116	70	33	37	18	765
2014	798	210	102	15	44	11	1 180
2015	830	196	415	16	33	12	1 502
Total	**3 590**	**991**	**1 043**	**168**	**440**	**122**	**6 354**

80. The majority of requests for legal assistance related to the provision of legal advice. The nature of "legal advice" requests varies. Such requests often involve gathering information, conducting legal research, identifying strengths and weaknesses, and advising staff members on options for seeking redress and likely outcomes and implications of a particular course of action or approach. The requests do not involve the preparation of submissions to a formal body, such as the Management Evaluation Unit or the Tribunals, or, in cases of alleged misconduct, writing to the Administration, or otherwise representing a staff member.

81. "Management evaluation" requests are those in which the Office holds consultations and provides legal advice to staff member clients, drafts management evaluation requests on their behalf, holds discussions with the Management Evaluation Unit or equivalent entity within the funds, programmes and specialized agencies of the United Nations system, and negotiates settlements or agreed outcomes.

82. "Disciplinary matters" are those in which the Office provides assistance to staff members to respond to allegations of misconduct under the Staff Rules.

83. In requests relating to "representation before the United Nations Dispute Tribunal" and "representation before the United Nations Appeals Tribunal", the Office holds consultations and provides legal advice to staff member clients, drafts submissions on their behalf, provides legal representation at oral hearings, holds discussions with opposing counsel and, to the extent possible, negotiates settlements.

84. The Office similarly provides advice and assistance in submissions and processes before other formal bodies and represents staff in mediation.

(b) Breakdown of requests

85. The figures below provide various breakdowns of the 1,502 requests for legal assistance received in 2015.

Figure X
Requests by subject matter

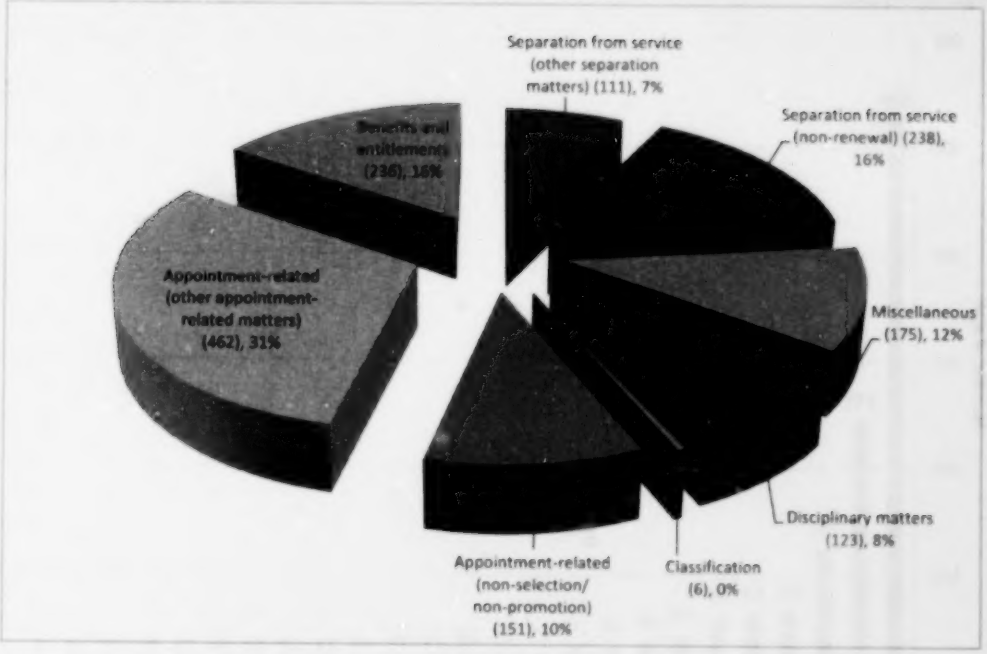
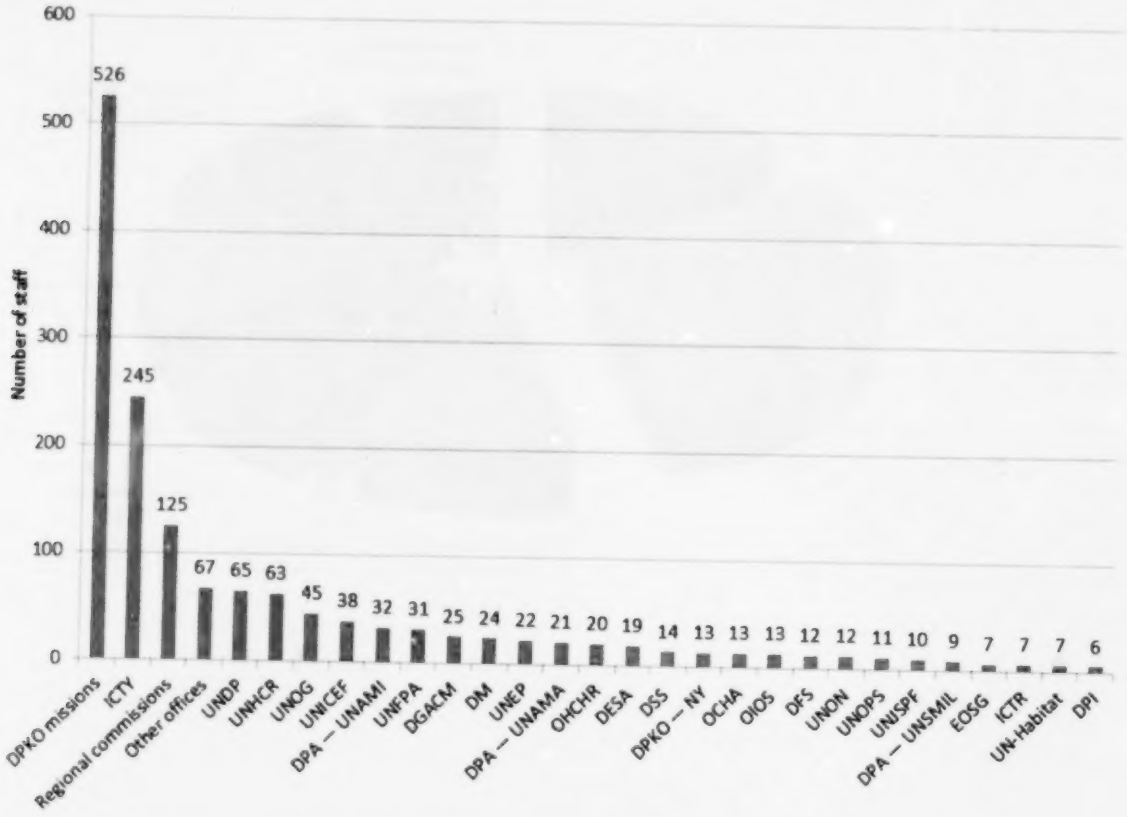

Separation from service (other separation matters) (111), 7%
Separation from service (non-renewal) (238), 16%
Miscellaneous (175), 12%
Disciplinary matters (123), 8%
Classification (6), 0%
Appointment-related (non-selection/ non-promotion) (151), 10%
Appointment-related (other appointment-related matters) (462), 31%
Benefits and entitlements (236), 16%

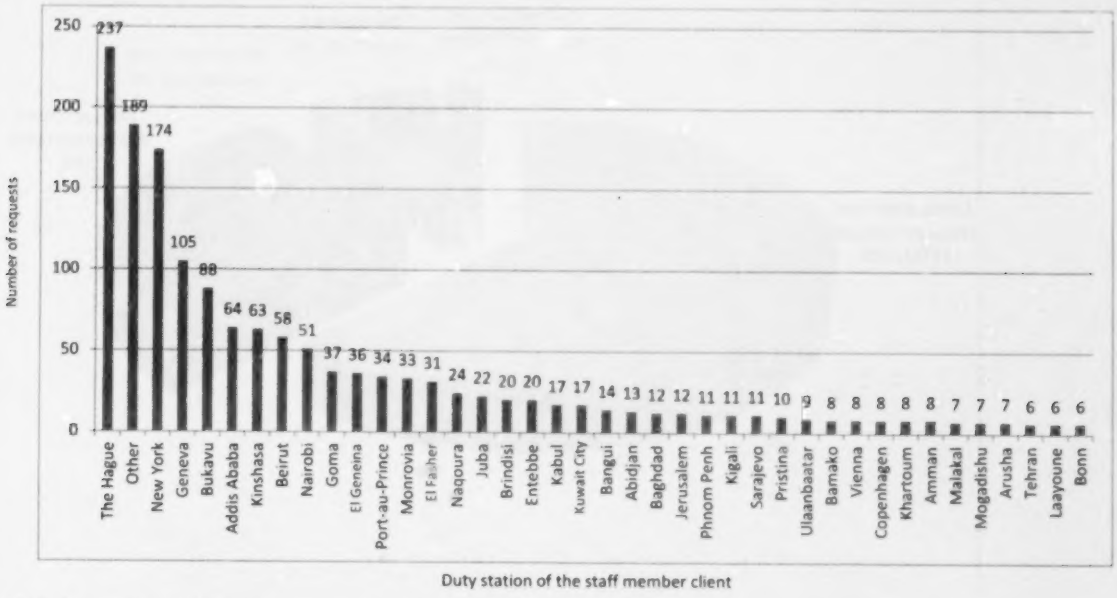
Figure XI

United Nations entity in which the staff member was employed at the time of request for legal assistance



Abbreviations: DESA, Department of Economic and Social Affairs; DFS, Department of Field Support; DGACM, Department for General Assembly and Conference Management; DM, Department of Management; DPA, Department of Political Affairs; DPI, Department of Public Information; DPKO, Department of Peacekeeping Operations; DSS, Department of Safety and Security; EOSG, Executive Office of the Secretary-General; ICTR, International Criminal Tribunal for Rwanda; ICTY, International Tribunal for the Former Yugoslavia; NY, New York; OCHA, Office for the Coordination of Humanitarian Affairs; OHCHR, Office of the United Nations High Commissioner for Human Rights; OIOS, Office of Internal Oversight Services; UNAMA, United Nations Assistance Mission in Afghanistan; UNAMI, United Nations Assistance Mission for Iraq; UNDP, United Nations Development Programme; UNEP, United Nations Environment Programme; UNFPA, United Nations Population Fund; UN-Habitat, United Nations Human Settlements Programme; UNHCR, Office of the United Nations High Commissioner for Refugees; UNICEF, United Nations Children's Fund; UNJSPF, United Nations Joint Staff Pension Fund; UNOG, United Nations Office at Geneva; UNON, United Nations Office at Nairobi; UNOPS, United Nations Office for Project Services; UNSMIL, United Nations Support Mission in Libya.

Figure XII
Requests by duty station of the staff member client[a]



[a] All duty stations with fewer than six requests are in the "Other" category.

Figure XIII
Requests by gender

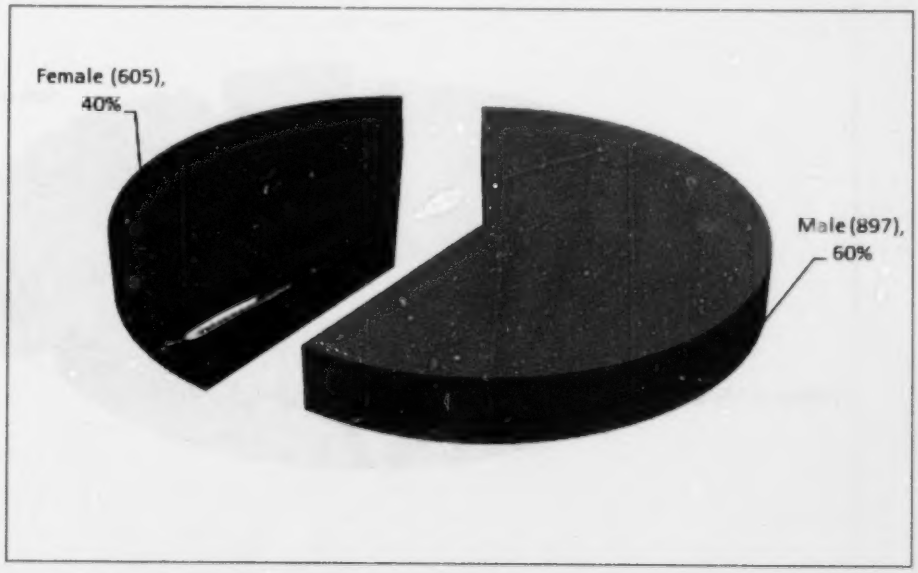


Figure XIV
Requests by recourse body

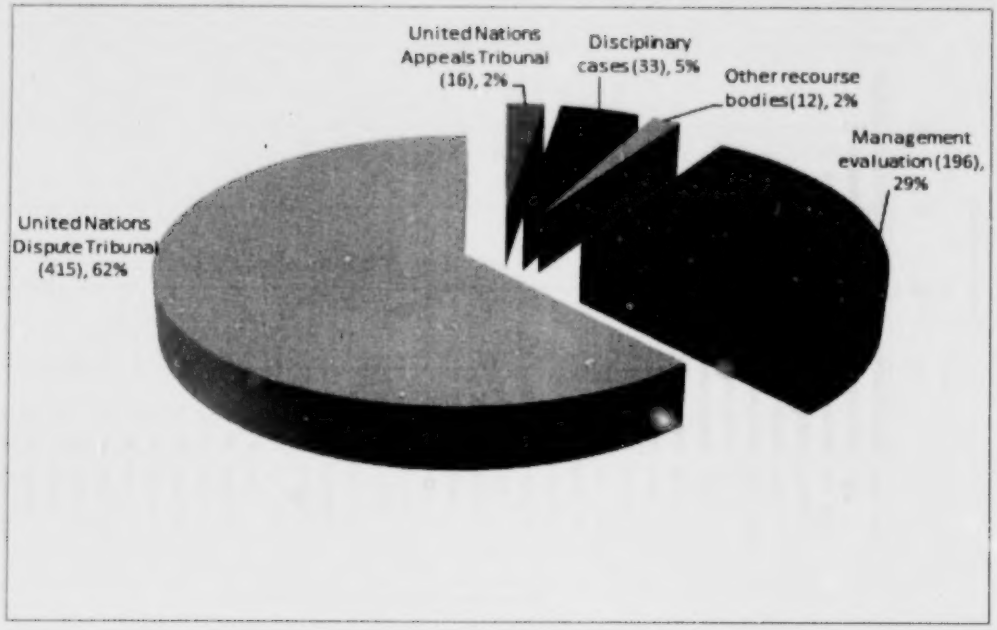
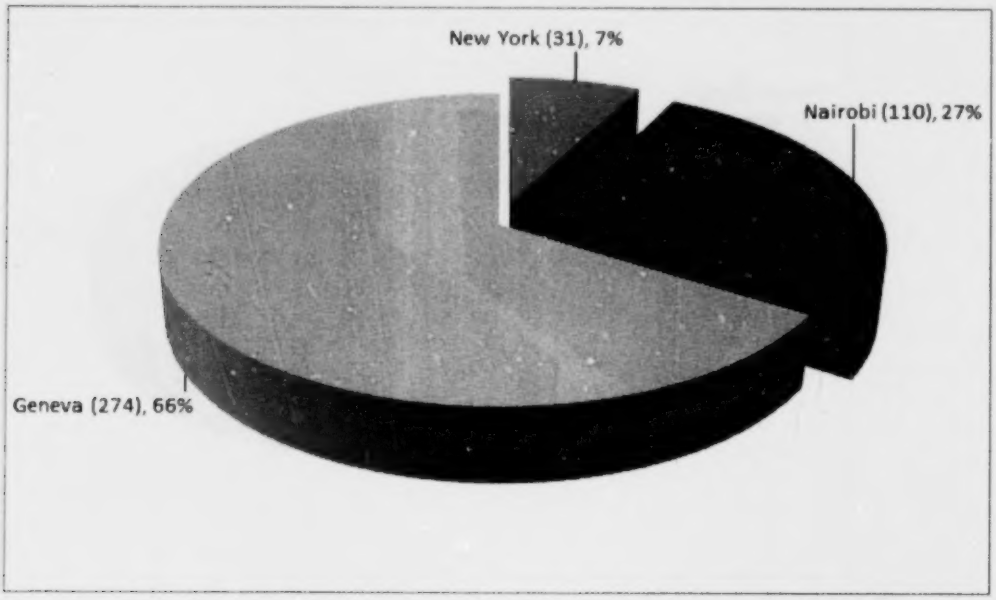

United Nations Appeals Tribunal (16), 2%
Disciplinary cases (33), 5%
Other recourse bodies (12), 2%
Management evaluation (196), 29%
United Nations Dispute Tribunal (415), 62%

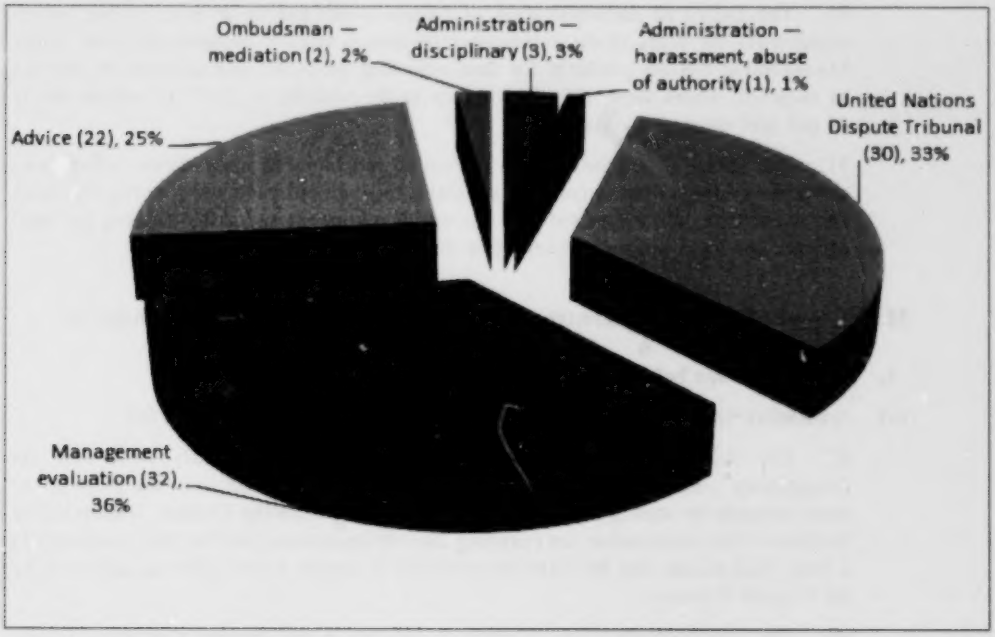
Figure XV
Representation before the United Nations Dispute Tribunal, by location



4. Settlement

86. The Office of Staff Legal Assistance settled 90 requests in 2015. That figure includes requests that were opened in previous years but were closed in 2015 as a result of settlement, as well as new requests opened and closed in 2015 as a result of settlement. Figure XVI shows the breakdown of the requests by the forum (the relevant recourse body) in which they were settled.

Figure XVI
Requests settled and closed, by forum


Ombudsman — mediation (2), 2%
Administration — disciplinary (3), 3%
Administration — harassment, abuse of authority (1), 1%
United Nations Dispute Tribunal (30), 33%
Advice (22), 25%
Management evaluation (32), 36%

G. Office of the Executive Director

87. During the reporting period, the Office of Administration of Justice coordinated the preparation of the reports of the Secretary-General on the administration of justice at the United Nations (A/70/187) and on the amendment to the rules of procedure of the United Nations Appeals Tribunal (A/70/189), participated in discussions on the reports held by the Advisory Committee on Administrative and Budgetary Questions and provided additional information to the Advisory Committee and the Fifth and Sixth Committees of the General Assembly, as requested.

88. The Office of Administration of Justice provided administrative and technical support, as appropriate, to the Internal Justice Council in connection with its mandate, including with respect to its meetings and teleconferences and the preparation of its annual report to the General Assembly (A/70/188). In 2015, the Internal Justice Council instituted a full public process to identify suitable candidates for judicial vacancies on the Tribunals that would arise on 1 July 2016

upon the expiry of the terms of office of some of the judges. The Office of Administration of Justice provided support to the Internal Justice Council in that process and in the preparation of its report to the Assembly on the appointment of judges of the United Nations Appeals Tribunal and of the United Nations Dispute Tribunal (A/70/190).

89. The Office of Administration of Justice compiled background materials consisting of relevant General Assembly resolutions and reports on the administration of justice for the panel conducting an interim independent assessment of the internal justice system in 2015.

90. The Office of Administration of Justice continued to enhance online search capabilities for users of the jurisprudential search engine, enhance the Court Case Management System platform for data reporting purposes, and updated its website as required. There were 113,981 visitors to the website in 2015, of whom nearly 38 per cent were new visitors.

91. The Office of Administration of Justice continued to disseminate information about the system of administration of justice through outreach and training activities and its website, and organized professional development and skills training for legal officers and legal assistants working in the internal justice system.

H. Legal offices representing the Secretary-General as respondent

1. Representation before the United Nations Dispute Tribunal

(a) Administrative Law Section, Office of Human Resources Management

92. The Administrative Law Section comprises the Appeals Unit and the Disciplinary Unit. The Section represents the Secretary-General in the majority of cases brought by staff members of the Secretariat before the Dispute Tribunal. The Section is also responsible for ensuring the implementation of the final judgment in a case. This means that the Section continues to handle a case after adjudication by the Dispute Tribunal.

93. The Administrative Law Section is located in the Human Resources Policy Service of the Office of Human Resources Management. Its legal officers are posted in New York and Nairobi. The Section works closely with other offices within the Office of Human Resources Management, as legal challenges before the Dispute Tribunal often focus on the interpretation and application of the Staff Rules, Secretary-General's bulletins and other administrative issuances. The Section also advises managers in the Secretariat on the internal justice system and investigative and disciplinary processes.

94. In 2015, the Section handled 495 applications before the Dispute Tribunal brought by staff members of the Secretariat against the Secretary-General.[8] Of the matters handled, 263 were new applications received in 2015. In 2014, the Section received 168 new applications. The applications handled in 2015 primarily concerned challenges relating to appointment, separation from service, benefits and entitlements, imposition of disciplinary measures, and classification matters. The breakdown of applications for 2015 and previous years is set out in table 11.

[8] This number includes cases carried over from 2014 and earlier, as well as cases brought in 2015.

Table 11
Breakdown of applications handled by the Administrative Law Section before the United Nations Dispute Tribunal: 2011-2015

Type of case handled[a]	*2011*[b]	*2012*[b]	*2013*[b]	*2014*[b]	*2015*[b]
Appointment	123	138	230	174	152
Separation from service	62	55	70	64	158
Other	43	48	59	82	66
Benefits and entitlements	40	43	52	69	84
Disciplinary	60	45	42	29	30
Classification	9	4	12	12	5
Total	**337**	**333**	**465**	**430**	**495**

[a] Includes all applications in which the Administrative Law Section represented the Secretary-General as respondent, regardless of whether a judgment was issued, including suspension of action applications and requests for revision and interpretation.
[b] Includes applications received that year and those carried over from previous years.

95. In addition to handling applications before the Dispute Tribunal, the Administrative Law Section liaises with the Office of Legal Affairs when the Dispute Tribunal issues a judgment. The Office of Legal Affairs determines whether to appeal the judgment to the Appeals Tribunal. Subsequent to final judgments, the Section obtains the information necessary and conveys the judgments to the relevant officials, including to the Controller, for execution.

96. The Disciplinary Unit provides recommendations to senior management regarding the disposition of matters referred to the Office of Human Resources Management for possible disciplinary action. In 2015, the Disciplinary Unit handled 227 disciplinary matters. Information on disciplinary matters is published in an annual report from the Secretary-General to the General Assembly entitled "Practice of the Secretary-General in disciplinary matters and possible criminal behaviour" (see A/71/186 for information for the twelve-month period ending 30 June 2016).

(b) United Nations Office at Geneva

97. Statistics for 2015 and previous years are provided in tables 12 and 13 below.

98. The Legal Unit of the Human Resources Management Service of the United Nations Office at Geneva also represents a number of other United Nations entities;[9] statistical information is included in tables 12 and 13 below.

99. A total of 20 management evaluation requests were opened and dealt with during the reporting period.

[9] Offices away from Headquarters: the United Nations Office at Vienna, the Office of the United Nations High Commissioner for Human Rights and the Office for the Coordination of Humanitarian Affairs — Geneva; regional commissions: the Economic Commission for Europe; funds, programmes and other entities: the International Trade Centre, the secretariat of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, the United Nations Compensation Commission, United Nations Conference on Trade and Development, the United Nations Institute for Disarmament Research, the United Nations Interregional Crime and Justice Research Institute, the United Nations Office on Drugs and Crime, the United Nations Research Institute for Social Development and the United Nations Office for Disaster Risk Reduction.

Table 12
United Nations Office at Geneva: outcome of cases before the United Nations Dispute Tribunal, 2015

Total cases[a]	*Cases settled or withdrawn*	*Decision upheld*	*Decision partially upheld*	*Decision overturned*	*Final outcomes pending*[b]
41	11	19	–	2	9

[a] Includes all cases in which the Legal Unit, Human Resources Management Service, United Nations Office at Geneva represented the Secretary-General as respondent (including suspension of action applications) that were disposed of by the Dispute Tribunal or were otherwise settled in 2015, regardless of when the application was received.
[b] Includes the total number of final outcomes pending before the Dispute Tribunal as at 31 December 2015, regardless of when the application was received, in cases where the Legal Unit, Human Resources Management Service, United Nations Office at Geneva represented the Secretary-General as respondent.

Table 13
United Nations Office at Geneva: breakdown of cases before the United Nations Dispute Tribunal, 2011-2015

Type of case handled[a]	*2011*[b]	*2012*[b]	*2013*[b]	*2014*[b]	*2015*[b]
Appointment	5	8	14	19	8
Conduct-related (ST/SGB/2008/05)	1	–	2	2	12
Separation from service	2	3	2	4	10
Benefits and entitlements	2	2	7	3	8
Other	4	5	3	3	3
Total	**14**	**18**	**18**	**31**	**41**

[a] Includes all cases in which the Legal Unit, Human Resources Management Service, United Nations Office at Geneva represented the Secretary-General as respondent, regardless of whether a judgment was issued, including suspension of action applications.
[b] Includes cases received that year and those carried over from previous years.

(c) United Nations Office at Nairobi

100. Statistics for 2015 and previous years are provided in tables 14 and 15 below.

Table 14
United Nations Office at Nairobi: outcome of cases before the United Nations Dispute Tribunal, 2015

Total cases[a]	*Cases settled or withdrawn*	*Decision upheld*	*Decision partially upheld*	*Decision overturned*	*Final outcomes pending*[b]
3	1	–	–	2	3

[a] Includes all cases in which the United Nations Office at Nairobi represented the Secretary-General as respondent (including suspension of action applications) that were disposed of by the Dispute Tribunal or were otherwise settled in 2015, regardless of when the application was received.
[b] Includes the total number of final outcomes pending before the Dispute Tribunal as at 31 December 2015, regardless of when the application was received, in cases in which the United Nations Office at Nairobi represented the Secretary-General as respondent.

Table 15
United Nations Office at Nairobi: breakdown of cases before the United Nations Dispute Tribunal, 2015

Type of case handled[a]	*Number of cases*[b]
Appointment	–
Disciplinary	–
Separation from service	–
Benefits and entitlements	4
Classification	1[c]
Other	1[d]
Total	**6**

[a] Includes all cases in which the United Nations Office at Nairobi represented the Secretary-General as respondent, regardless of whether a judgment was issued, including suspension of action applications.
[b] Includes cases carried over from 2014 and earlier and cases received in 2015.
[c] Co-counsel with the United Nations Environment Programme.
[d] Co-counsel with the Administrative Law Section.

(d) United Nations Environment Programme

101. Statistics for 2015 and previous years are provided in tables 16 and 17 below.

Table 16
United Nations Environment Programme: outcome of cases before the United Nations Dispute Tribunal, 2015

Total cases[a]	*Cases settled or withdrawn*	*Decision upheld*	*Decision partially upheld*	*Decision overturned*	*Final outcomes pending*[b]
3	–	–	–	–	1

[a] Includes all cases in which the United Nations Environment Programme represented the Secretary-General as respondent (including suspension of action applications) that were disposed of by the Dispute Tribunal or were otherwise settled in 2015, regardless of when the application was received.
[b] Includes the total number of final outcomes pending before the Dispute Tribunal as at 31 December 2015, regardless of when the application was received, in cases in which the United Nations Environment Programme represented the Secretary-General as respondent.

Table 17
United Nations Environment Programme: breakdown of cases before the United Nations Dispute Tribunal, 2010-2015

Type of case handled[a]	*2010*	*2011*	*2012*	*2013*	*2014*	*2015*
Recruitment	–	–	–	–	3	2
Appointment	–	–	–	–	–	–
Disciplinary	–	–	–	–	–	–
Separation from service	–	–	2	2	4	1
Benefits and entitlements	–	–	–	1	–	–
Classification	–	–	5	9	3	1
Other	–	1	–	3	–	–
Total	–	**1**	**7**	**15**	**10**	**4**

[a] Includes all cases in which the United Nations Environment Programme represented the Secretary-General as respondent, regardless of whether a judgment was issued, including suspension of action applications.

(e) United Nations Human Settlements Programme

102. Statistics for 2015 and previous years are provided in tables 18 and 19 below.

Table 18
United Nations Human Settlements Programme: outcome of cases before the United Nations Dispute Tribunal, 2015

Total cases[a]	*Cases settled or withdrawn*	*Decision upheld*	*Decision partially upheld*	*Decision overturned*	*Final outcomes pending*[b]
2	–	2	–	–	–

[a] Includes all cases in which the United Nations Human Settlements Programme represented the Secretary-General as respondent (including suspension of action applications) that were disposed of by the Dispute Tribunal or were otherwise settled in 2015, regardless of when the application was received.

[b] Includes the total number of final outcomes pending before the Dispute Tribunal as at 31 December 2015, regardless of when the application was received, in cases in which the United Nations Human Settlements Programme represented the Secretary-General as respondent.

Table 19
United Nations Human Settlements Programme: breakdown of cases before the United Nations Dispute Tribunal, 2010-2015

Type of case handled[a]	*2010*[b]	*2011*[b]	*2012*[b]	*2013*[b]	*2014*[b]	*2015*[b]
Appointment	2	–	–	–	–	1
Disciplinary	–	1	–	–	–	–
Separation from service	–	1	1	2	1	–
Benefits and entitlements	1	1	–	–	–	–
Classification	–	–	–	–	–	–
Other	1	–	–	2	4	1
Total	**4**	**3**	**1**	**4**	**5**	**2**

[a] Includes all cases in which the United Nations Human Settlements Programme represented the Secretary-General as respondent, regardless of whether a judgment was issued, including suspension of action applications.
[b] Includes cases received that year and those carried over from previous years.

(f) United Nations Development Programme

103. Statistics for 2015 and previous years are provided in tables 20, 21 and 22 below.

Table 20
United Nations Development Programme: management evaluation cases as at 31 December 2015

Total management evaluation cases filed[a]	*Cases upheld*[b]	*Cases settled*[c]	*Cases appealed to the Dispute Tribunal*[d]	*Cases carried forward*[e]	*Outcome of cases at the Dispute Tribunal*[f]			
					Upheld	*Partially upheld*	*Overturned*	*Pending*
33	29	2	14	5	6	–	–	13

[a] Cases filed with the management evaluation entity within the United Nations Development Programme.
[b] Includes cases carried over from 2014 and earlier and cases received in 2015.
[c] Includes all cases in which the matter was settled in whole or in part as a result of management evaluation.
[d] Includes all cases that were appealed to the Dispute Tribunal in 2015.
[e] Includes all open cases that were not resolved in 2015 and were carried over to 2016.
[f] Includes all cases that were disposed of by the Dispute Tribunal in 2015 or were pending before it as at 31 December 2015.

Table 21
United Nations Development Programme: breakdown of cases before the United Nations Dispute Tribunal, 2012-2015

Type of case handled[a]	*2012*[b]	*2013*[b]	*2014*[b]	*2015*[b]
Appointment	–	3	1	4
Disciplinary	7	2	1	–
Separation from service	7	7	8	13
Benefits and entitlements	–	–	28[c]	31[d]
Other	4	4	6	8
Total	**18**	**16**	**44**	**56**

[a] Includes all cases in which the United Nations Development Programme represented the Secretary-General as respondent, regardless of whether a judgment was issued, including suspension of action applications.
[b] Includes cases received that year and those carried over from previous years.
[c] Includes 26 cases referenced in UNDT/2015/022.
[d] Includes 29 cases referenced in UNDT/2015/022.

Table 22
United Nations Development Programme: outcome of cases before the United Nations Dispute Tribunal, 2015

Total cases[a]	*Cases settled or withdrawn*	*Decision upheld*	*Decision partially upheld*	*Decision overturned*	*Judgment pending*[b]
56	3	39	–	–	14

[a] Includes all cases in which the United Nations Development Programme represented the Secretary-General as respondent (including suspension of action applications) that were disposed of by the Dispute Tribunal or were otherwise settled in 2015, regardless of when the application was received.
[b] Includes the total number of judgments pending before the Dispute Tribunal as at 31 December 2015, regardless of when the application was received, in cases in which the United Nations Development Programme represented the Secretary-General as respondent.

(g) United Nations Children's Fund

104. Statistics for 2015 and previous years are provided in tables 23, 24 and 25 below.

Table 23
United Nations Children's Fund: management evaluation cases as at 31 December 2015

Total management evaluation requests filed in 2015[a]	*Requests carried forward from 2014*[b]	*Requests pending*	*Decisions upheld*	*Decisions reversed*	*Requests settled*[c]	*Requests non-receivable*[d]	*Requests unilaterally withdrawn*
18	4	2	19	–	1	5	–

[a] Includes cases filed with the management evaluation entity within the United Nations Children's Fund.
[b] Includes all open cases that were not resolved in 2014 and were carried over to 2015.
[c] Includes all cases in which the matter was settled in whole or in part as a result of management evaluation.
[d] Non-receivable cases are a subset of the decisions upheld.

Table 24
United Nations Children's Fund: main subject matter of cases before the United Nations Dispute Tribunal by year of opening

Type of case handled[a]	*2012*	*2013*	*2014*	*2015*[b]
Appointment	1	–	1	–
Disciplinary and related administrative measures	1	2	–	1
Separation from service	–	5	12	2
Benefits and entitlements	1	–	29	111
Other	–	4	5	–
Total	**3**	**11**	**47**	**114**

[a] Includes all cases in which the United Nations Children's Fund represented the Secretary-General as respondent, regardless of whether a judgment was issued, including suspension of action applications. Where a case deals with multiple subjects, only the main subject is listed.
[b] Includes all cases that were disposed of by the Dispute Tribunal in 2015 or were pending before it as at 31 December 2015. All 111 cases concerning benefits and entitlements were filed directly with the Dispute Tribunal without seeking management evaluation and were dismissed by way of a single judgment, before any action by the United Nations Children's Fund.

Table 25
United Nations Children's Fund: outcome of cases before the United Nations Dispute Tribunal, 2015

Total cases[a]	*Cases settled or withdrawn*	*Decision upheld*	*Decision partially upheld*	*Decision overturned*	*Judgment pending as at 31 December 2015*[b]
119	–	112	1	1	5

[a] Includes all cases in which the United Nations Children's Fund represented the Secretary-General as respondent (including suspension of action applications) that were opened before or in 2015 and that also remained open through some or all of 2015. Includes 111 cases concerning benefits and entitlements that were filed directly with the Dispute Tribunal without seeking management evaluation and were dismissed by way of a single judgment before any action by the United Nations Children's Fund.
[b] Includes the total number of judgments pending before the Dispute Tribunal as at 31 December 2015, regardless of when the application was received, in cases in which the United Nations Children's Fund represented the Secretary-General as respondent.

(h) United Nations Entity for Gender Equality and the Empowerment of Women

105. Statistics for 2015 and previous years are provided in tables 26, 27 and 28 below.

Table 26
United Nations Entity for Gender Equality and the Empowerment of Women: management evaluation cases as at 31 December 2015

Total management evaluation requests filed	*Requests carried forward*	*Decisions upheld*	*Decisions reversed*	*Requests settled*	*Requests non-receivable*	*Requests withdrawn*	*Cases appealed to the Dispute Tribunal*
–	–	–	–	–	–	–	–

Table 27
United Nations Entity for Gender Equality and the Empowerment of Women: breakdown of cases before the United Nations Dispute Tribunal, 2012-2015

Type of case handled[a]	*2012*	*2013*	*2014*	*2015*
Appointment	–	1	1	1
Disciplinary	–	–	–	–
Separation from service	–	–	–	–
Benefits and entitlements	–	–	–	–
Other	–	–	–	–
Total	–	**1**	**1**	**1**

[a] Includes all cases in which the United Nations Entity for Gender Equality and the Empowerment of Women represented the Secretary-General as respondent, regardless of whether a judgement was issued, including suspension of action applications.

Table 28
United Nations Entity for Gender Equality and the Empowerment of Women: outcome of cases before the United Nations Dispute Tribunal, 2015

Total cases[a]	*Cases settled or withdrawn*	*Decision upheld*	*Decision partially upheld*	*Decision overturned*	*Judgment pending*
1	–	–	–	1	–

[a] Includes all cases in which the United Nations Entity for Gender Equality and the Empowerment of Women represented the Secretary-General as respondent (including suspension of action applications) that were disposed of by the Dispute Tribunal or were otherwise settled in 2015, regardless of when the application was received.

(i) Office of the United Nations High Commissioner for Refugees

106. Statistics for 2015 and previous years are provided in tables 29, 30 and 31 below.

Table 29

Office of the United Nations High Commissioner for Refugees: management evaluation cases as at 31 December 2015[a]

Total management evaluation cases filed[b]	*Cases upheld*[c]	*Cases settled*	*Cases appealed to the Dispute Tribunal*[d]	*Cases carried forward*[e]	*Outcome of cases at the Dispute Tribunal*[f]			
					Upheld	*Settled*	*Overturned*	*Pending*
130	59	1	15	58	28	4	3	18

[a] Cases filed with the management evaluation entity within the Office of the United Nations High Commissioner for Refugees.
[b] Includes 107 cases filed in 2015 and 23 cases carried over from the previous year.
[c] Includes 21 cases considered moot or not receivable.
[d] Includes all cases for which a management evaluation had been submitted that were appealed to the Dispute Tribunal in 2015.
[e] Includes all open cases that were not resolved in 2015 and were carried over to 2016.
[f] Includes all cases that were disposed of by the Dispute Tribunal in 2015 or were pending before it as at 31 December 2015.

Table 30

Office of the United Nations High Commissioner for Refugees: outcome of cases before the United Nations Dispute Tribunal, 2015

Total cases[a]	*Cases settled*	*Decision upheld*	*Decision partially upheld*	*Decision overturned*	*Judgment pending*[b]
35	4	28	0	3	18

[a] Includes all cases in which the Office of the United Nations High Commissioner for Refugees represented the Secretary-General as respondent (including suspension of action applications) that were disposed of by the Dispute Tribunal or were otherwise settled in 2015, regardless of when the application was received.
[b] Includes the total number of judgments pending before the Dispute Tribunal as at 31 December 2015, regardless of when the application was received, in cases in which the Office of the United Nations High Commissioner for Refugees represented the Secretary-General as respondent.

Table 31

Office of the United Nations High Commissioner for Refugees: breakdown of cases before the United Nations Dispute Tribunal, 2010-2015

Type of case handled[a]	*2010*	*2011*	*2012*	*2013*	*2014*	*2015*
Appointment	13	11	18	12	6	15
Disciplinary	4	–	1	1	3	2
Separation from service	3	13	1	1	6	2
Benefits and entitlements	1	1	–	–	19[b]	–
Other	6	2	3	1	3	1
Total	**27**	**27**	**23**	**15**	**37**	**20**

[a] Includes all cases in which the Office of the United Nations High Commissioner for Refugees represented the Secretary-General as respondent, regardless of whether a judgment was issued, including suspension of action applications.
[b] Includes 19 applications relating to the periodic salary survey.

(j) United Nations Office for Project Services

107. Statistics for 2015 and previous years are provided in tables 32, 33 and 34 below.

Table 32
United Nations Office for Project Services: management evaluation cases as at 31 December 2015

Total management evaluation cases filed	*Cases upheld*	*Cases settled*	*Cases appealed to the Dispute Tribunal*	*Cases carried forward*	*Outcome of cases at the Dispute Tribunal*			
					Upheld	*Partially upheld*	*Overturned*	*Pending*
1	2	1	2	–	–	–	–	2

Table 33
United Nations Office for Project Services: breakdown of cases before the United Nations Dispute Tribunal, 2012-2015

Type of case handled	*2012[a]*	*2013[a]*	*2014[a]*	*2015[a]*
Appointment	–	1	1	–
Disciplinary	4	2	–	1
Separation from service	2	3	1	1
Benefits and entitlements	2	2	2	–
Other	1	3	1	1
Total	**9**	**11**	**5**	**3**

[a] Includes cases received that year and those carried over from previous year.

Table 34
United Nations Office for Project Services: outcome of cases before the United Nations Dispute Tribunal, 2015

Total cases[a]	*Cases settled or withdrawn*	*Decision upheld*	*Decision partially upheld*	*Decision overturned*	*Judgment pending*
3	–	–	–	–	3

[a] Includes all cases in which the United Nations Office for Project Services represented the Secretary-General as respondent that were disposed of by the Dispute Tribunal or were otherwise settled in 2015, regardless of when the application was received.

(k) United Nations Population Fund

108. Statistics for 2015 and previous years are provided in tables 35, 36 and 37 below.

Table 35
United Nations Population Fund: management evaluation cases as at 31 December 2015

Total management evaluation cases filed	*Cases upheld*	*Cases settled*[a]	*Cases appealed to Dispute Tribunal*[b]	*Cases carried forward*[c]	*Outcome of cases at the Dispute Tribunal*[d]			
					Upheld	*Partially upheld*	*Overturned*	*Pending*
16	10	4	5	–	35	–	–	8

[a] Includes all cases in which the matter was settled in whole or in part as a result of management evaluation.
[b] Includes all cases that were appealed to the Dispute Tribunal in 2015.
[c] Includes all open cases that were not resolved in 2014 and were carried over to 2015.
[d] Includes all cases that were disposed of by the Dispute Tribunal in 2015 or were pending before it as of 31 December 2015.

Table 36
United Nations Population Fund: breakdown of cases before the United Nations Dispute Tribunal, 2012-2015

Type of case handled[a]	*2012*	*2013*	*2014*	*2015*
Appointment	3	1	1	2
Disciplinary	2	–		1
Separation from service	4	1	1	2
Benefits and entitlements	–	–	28	28
Other	–	–	8	10
Total	**9**	**2**	**38**	**43**

[a] Includes all cases in which the United Nations Population Fund represented the Secretary-General as respondent, regardless of whether a judgment was issued, including suspension of action applications.

Table 37
United Nations Population Fund: outcome of cases before the United Nations Dispute Tribunal, 2015

Total cases[a]	*Cases settled or withdrawn*	*Decision upheld*	*Decision partially upheld*	*Decision overturned*	*Judgment pending*[b]
35	–	35	–	–	8

[a] Includes all cases in which the United Nations Population Fund represented the Secretary-General as respondent (including suspension of action applications) that were disposed of by the Dispute Tribunal or were otherwise settled in 2015, regardless of when the application was received.
[b] Includes the total number of judgments pending before the Dispute Tribunal as at 31 December 2015, regardless of when the application was received, in cases in which the United Nations Population Fund represented the Secretary-General as respondent.

(l) Economic Commission for Africa

109. Statistics for 2015 and previous years are provided in tables 38, 39 and 40 below.

Table 38
Economic Commission for Africa: management evaluation cases as at 31 December 2015

Total management evaluation requests filed	*Requests carried forward*[a]	*Decisions upheld*	*Decisions reversed*	*Requests settled*	*Requests non-receivable*	*Requests withdrawn*	*Cases appealed to the Dispute Tribunal*
4	1	2	–	2 (moot)	–	1	3

[a] Includes all open cases that were not resolved in 2014 and were carried over to 2015.

Table 39
Economic Commission for Africa: breakdown of cases before the United Nations Dispute Tribunal, 2012-2015

Type of case handled	*2012*	*2013*	*2014*	*Cases pending as at 2015*
Appointment	2	–	3	2
Disciplinary	4	1	1	–
Separation from service	1	2	–	1
Benefits and entitlements	–	1	1	1
Other	1	1	1	1
Total	**8**	**5**	**5**	**5**

Table 40
Economic Commission for Africa: outcome of cases before the United Nations Dispute Tribunal, 2015

Total cases	*Cases settled or withdrawn*	*Decision upheld*	*Decision partially upheld*	*Decision overturned*	*Judgment pending*
8	2	1	–	2	4

2. Representation of the Secretary-General before the Appeals Tribunal

Office of Legal Affairs

110. As the central legal service of the Organization, the Office of Legal Affairs provides legal advice to the Secretary-General, Secretariat departments and offices, funds and programmes and other United Nations system organs in a number of areas, including the administration of justice system. Within the Office, the organizational unit entrusted with the responsibility for providing legal advice regarding administration and management matters is the General Legal Division.

111. The functions of the Division include: reviewing each and every administrative issuance relating to human resources management policy for consistency and accuracy prior to its promulgation; providing legal advice, assistance and support concerning the interpretation of the Charter of the United Nations, the resolutions and decisions of the General Assembly, the Staff Regulations and Rules, the mandates of programmes and activities in which United

Nations organs are engaged and other administrative issuances of the Organization; and providing legal advice on matters before an administrative decision is taken, including by legally clearing recommendations for the dismissal of staff members.

112. In addition, the Division reviews and analyses all judgments of the Tribunals, thereby developing a comprehensive view of the jurisprudence in the administration of justice system. The Division draws on this analysis when it provides legal advice during the early stages of a claim advanced by a staff member, well before such a claim has progressed to litigation. The Division also uses this analysis to provide case-specific advice to the entities representing the Secretary-General at the first level of the judicial process and to brief them generally on legal developments. Such advice and briefing ensure coordination and consistency in the legal strategies and arguments advanced by the Secretary-General on issues of policy and principle. The Division further uses this analysis when determining whether appealing a given judgment of the Dispute Tribunal is in the interest of the Organization. The Division reviewed all 240 judgments of the Tribunals rendered in 2015.

113. The Division is also responsible for the representation of the Secretary-General before the Appeals Tribunal. This responsibility encompasses both the filing of appeals against judgments of the Dispute Tribunal and responding to appeals filed by staff members. It also involves filing motions and responses to motions, as well as oral advocacy in support of the Secretary-General at hearings before the Appeals Tribunal. Once judgments are released, the Division further provides advice on their implementation and on responses to inquiries regarding their implications. In 2015, the Appeals Tribunal rendered 80 judgments in cases in which the Secretary-General was a party.

III. Responses to questions relating to the administration of justice

A. Overview

114. In its resolution 70/112, the General Assembly made a number of requests to the Secretary-General for information and proposals for consideration at its seventy-first session.

B. Responses

1. Recommendations of the panel of experts

115. In paragraph 13 of resolution 70/112, the General Assembly requested the Secretary-General to transmit the recommendations of the panel of experts, together with its final report and his comments, for consideration by the Assembly at the main part of its seventy-first session.

116. The report and recommendations of the panel were transmitted (see A/71/62/Rev.1). The Secretary-General's comments thereon are contained in document A/71/163.

2. Access to the Office of the United Nations Ombudsman and Mediation Services by staff in the field

117. In paragraph 19 of resolution 70/112, the General Assembly requested the Secretary-General to report to it on access to the Office of the United Nations Ombudsman and Mediation Services by staff in the field, including for those in special political missions, at the main part of its seventy-first session.

118. The report of the Secretary-General on the activities of the Office of the United Nations Ombudsman and Mediation Services is contained in document A/71/157.

3. Cases from non-staff personnel

119. In paragraph 20 of resolution 70/112, the General Assembly requested that information on the number and nature of cases from non-staff personnel continue to be clearly set out in future reports on the activities of the Office of the United Nations Ombudsman and Mediation Services. That information is contained in document A/71/157.

4. Implementation of recommendations

120. In paragraph 22 of resolution 70/112, the General Assembly requested the Secretary-General to report to it on progress made in the implementation of recommendations to address systemic and cross-cutting issues contained in the report of the Secretary-General on the activities of the Office of the United Nations Ombudsman and Mediation Services (A/70/151) in his next report.

121. The report of the Secretary-General is contained in annex II to the present report.

5. Revised terms of reference and guidelines

122. In paragraph 23 of resolution 70/112, the General Assembly reiterated its request to the Secretary-General to ensure that the revised terms of reference and guidelines for the Office of the United Nations Ombudsman and Mediation Services are promulgated, as a matter of priority, by the end of February 2016 at the latest.

123. Revised terms of reference and guidelines for the Office have been promulgated in document ST/SGB/2016/7.

6. Data and emerging trends

124. In paragraph 27 of resolution 70/112, the General Assembly requested the Secretary-General to continue to track the data on the number of cases received by the Management Evaluation Unit and the Dispute Tribunal in order to identify any emerging trends and to include his observations on those statistics in future reports.

125. Data concerning the caseloads of the Management Evaluation Unit and the Dispute Tribunal are reported in those sections of the present report dealing with their activities (sects. II.B and II.D, respectively). Observations with respect to the data and emerging trends are found in section II.A of the present report.

7. Disputes involving non-staff personnel

126. In paragraph 28 of resolution 70/112, the General Assembly reiterated its request to the Secretary-General to include information on disputes involving non-staff personnel in the context of both management evaluation and informal mediation in his future reports. The Assembly also requested the Secretary-General to provide information on existing measures to institutionalize good management practices that aim to avoid or mitigate disputes involving the various categories of non-staff personnel.

127. In 2015, one request for management evaluation was submitted to the Management Evaluation Unit by non-staff personnel (by a local contractor allegedly filing on behalf of himself and other contractors). The Unit notified those individuals that their requests were not receivable. Existing measures to institutionalize good management practices are addressed in paragraphs 140 and 141 below.

8. Accountability of managers

128. In paragraph 30 of resolution 70/112, the General Assembly requested the Secretary-General to report on the outcome of matters involving the accountability of managers whose decisions have been established to be grossly negligent, according to the applicable Staff Regulations and Rules of the United Nations, and which have led to litigation and subsequent financial loss.

129. Staff rule 10.1(b) stipulates that a staff member may be held financially liable for actions or decisions that result in a financial loss to the Organization, provided that such act or decision amounts to misconduct and is established to be wilful, reckless or grossly negligent. Gross negligence, as opposed to simple negligence, involves a finding of wilful blindness or extreme recklessness. Such a finding within the Organization may only be made in the context of a disciplinary process, which may only be initiated after an investigation into the matter has been completed. Investigations and the disciplinary process are governed by chapter X of the Staff Rules, and are further implemented under the administrative instruction on disciplinary measures and procedures (ST/AI/371 and Amend.1) and similar policies and procedures issued by the funds and programmes.

130. The vast majority of non-disciplinary administrative decisions that are challenged before the Tribunals are subject to prior scrutiny by the Under-Secretary-General for Management, who acts upon the recommendations of the Management Evaluation Unit. While the Under-Secretary-General for Management may take appropriate accountability measures, typically at this stage no investigation will have been undertaken into whether a manager took an administrative decision that was grossly negligent or reckless or with the knowledge that the decision was unlawful and would result in financial loss for the Organization. The Management Evaluation Unit has no mandate to carry out such investigations. Similarly, while the Dispute Tribunal, under article 10 of its statute, and the Appeals Tribunal, under article 9 of its statute, may refer a manager to the Secretary-General for possible accountability, no investigation under chapter X of the Staff Rules into the manager's conduct will have been undertaken. Any recovery of financial loss from a manager may only take place after an investigation and upon completion of a disciplinary process.

131. The outcomes of disciplinary processes within the Organization are reported annually to the General Assembly. As requested by the Assembly, the confidential nature of the disciplinary process is respected in the annual report of the Secretary-General on the practice of the Secretary-General in disciplinary matters and cases of possible criminal behaviour by a limitation on the details disclosed. In the most recent such report (A/70/253), which includes the first six months of 2015, there were no cases in which financial recovery was made from managers whose legally challenged decisions resulted in financial loss. The same applied to the second six-month period ended 31 December 2015.

9. Effectiveness of the Management Evaluation Unit

132. In paragraph 31 of resolution 70/112, the General Assembly requested the Secretary-General to provide further information with regard to the effectiveness of the Management Evaluation Unit as a first step in the formal system of administration of justice and its review of administrative decisions taken by managers that could potentially have legal and financial implications for the Organization.

133. The Secretary-General recalls the direction of the General Assembly that every effort should be made to resolve cases informally to avoid litigation, and the observation by the Advisory Committee on Administrative and Budgetary Questions that the management evaluation function is an important opportunity to do so (see A/65/557, para. 16).

134. The conduct by the Management Evaluation Unit of impartial, objective evaluations of administrative decisions serves to achieve the objective of limiting legal and financial risks, in part by identifying any flaws in those decisions. Where the Unit finds that a contested decision is not in compliance with the relevant regulations and rules, it will recommend appropriate corrective action that ensures that the rights of staff members are respected. Often, this will involve a recommendation to the relevant managers that they rescind or correct their previous decisions, in which case the requests are rendered moot or withdrawn. Where appropriate, the Unit relies on settlement in order to bring closure to disputes, thus avoiding further litigation and eliminating exposure to potential awards of damages.

135. However, even where the Management Evaluation Unit recommends that a contested decision be upheld or where it has determined that a management evaluation request is not receivable on procedural or legal grounds, the reasoned response to the staff member, explaining the background and legal basis of the contested decision in clear and simple terms, sets out the basis for the Unit's determination. This enhances the fairness, transparency and credibility of the process and has in many cases contributed to increased acceptance by staff members of the evaluated administrative decision. Furthermore, where no administrative decision has yet been taken, the Unit may, as a matter of prevention, identify potential risks and draw them to the attention of relevant managers.

136. The effectiveness of impartial management evaluation is reflected in the fact that, from the establishment of the management evaluation function to the end of 2015, only 16.5 per cent of cases submitted for management evaluation proceeded to litigation.

137. In carrying out its functions, the Management Evaluation Unit is mindful that resolving a matter informally to the satisfaction of both the Administration and the staff member is the surest way to avoid the uncertainties of litigation. Accordingly, the Unit reminds staff members of the availability of informal conflict resolution in every letter of acknowledgement of a management evaluation request. If the Unit identifies a management evaluation request which, in its view, has potential for settlement, it reaches out to the staff member and the Administration to propose consideration of informal conflict resolution or to suggest to seek the services of the Office of the United Nations Ombudsman and Mediation Services as a neutral third party. Of the cases submitted since July 2009, 26 per cent were settled, rendered moot or withdrawn by the staff member following informal efforts to resolve the matter.

138. The Management Evaluation Unit is also mandated to make recommendations on accountability to the Under-Secretary-General for Management in an effort to prevent future risks of loss for the Organization. Such cases include unlawful decisions that have resulted in awards of compensation to staff and decisions that were considered lawful but where the manager's approach was deemed to carry a potential risk of liability for the Organization. Every case in which accountability may be necessary is analysed to establish whether there is a managerial failure (and, if so, its seriousness), whether there is evidence of "intent" or "bad faith", and what the appropriate accountability measures would be.

139. The Secretary-General is also cognizant that, ultimately, the most effective way to avoid legal and financial liability is through better understanding of staff rules and the responsibilities of managers and decision makers. Given the number of cases that staff submit for management evaluation each year compared with the number of cases that proceed to litigation, management evaluation is uniquely placed.

140. The Secretary-General has, in the past, reported on the efforts of the Management Evaluation Unit to institutionalize good management practices and contribute to sound managerial decision-making. In that regard, the Unit identifies trends and systemic issues and provides support to the Under-Secretary-General for Management in the compilation of the lessons learned guide for managers and guidance notes, which are circulated to all heads of offices and departments, and through them to their managers, and are posted on the intranet site of the Department of Management.

141. The Management Evaluation Unit has, within available resources, supplemented the guides with outreach activities, such as videoconferences and visits to field missions, offices away from Headquarters and regional commissions and departmental briefings at Headquarters. The Unit assists in training on performance management provided by the Office of Human Resources Management by discussing lessons learned in that area with the participants. Lastly, the Unit provides ad hoc guidance outside of the context of management evaluation to staff and managers. The Unit has observed that fielding such queries very often has the effect of limiting the escalation of conflict to the level of the formal system of internal justice.

142. The Secretary-General notes that the Interim Independent Assessment Panel, in its report on the system of administration of justice at the United Nations, was of the view that the management evaluation process is a successful filter and its

establishment has limited the caseload of the Tribunals (see A/71/62/Rev.1, para. 307).

10. Voluntary supplemental funding mechanism

143. In paragraph 32 of resolution 70/112, the General Assembly decided to extend the experimental period for the voluntary supplemental funding mechanism for additional resources for the Office of Staff Legal Assistance. In paragraph 34 of the resolution, the Assembly requested the Secretary-General to continue to collect and examine data relating to staff contributions and to report thereon to the Assembly in his next report.

144. The aggregate monthly opt-out rates and voluntary contributions by staff to the mechanism from the commencement of the experimental period, on 1 January 2014, to 30 June 2016 are set out in annex III to the present report.

11. Code of conduct for all legal representatives

145. In paragraph 36 of resolution 70/112, the General Assembly reiterated its request to the Secretary-General to submit to the Assembly a single code of conduct for all legal representatives no later than at the main part of its seventy-first session.

146. A proposed single code of conduct for all legal representatives is set out in annex IV to the present report.

12. Implications of amendments to the statutes of the Tribunals

147. In its resolution 70/112, the General Assembly reiterated its request to the Secretary-General to provide to the Assembly a report on the implementation of the amendment to article 11 (3) of the statute of the Dispute Tribunal and to article 7 (5) of the statute of the Appeals Tribunal, including with respect to the administrative implications, any implications for the timely disposal of those cases, the ultimate disposition of appeals of orders, if any, and any costs saved by reason of stays pending such appeals, and to do so at the main part of its seventy-first session.

148. In its resolution 69/203, the General Assembly amended article 11 (3) of the statute of the Dispute Tribunal to read as follows:

> The judgements and orders of the Dispute Tribunal shall be binding upon the parties, but are subject to appeal in accordance with the statute of the United Nations Appeals Tribunal. In the absence of such appeal, they shall be executable following the expiry of the time provided for appeal in the statute of the Appeals Tribunal. Case management orders or directives shall be executable immediately.

149. Also in its resolution 69/203, the General Assembly amended article 7 (5) of the statute of the Appeals Tribunal to read as follows:

> The filing of appeals shall have the effect of suspending the execution of the judgement or order contested.

150. In paragraph 40 of resolution 69/203, the General Assembly emphasized that the amendments to article 11 (3) of the statute of the Dispute Tribunal should not affect the provisions of articles 2 (2) and 10 (2) of the statute.

151. Article 2 (2) of the statute of the Dispute Tribunal stipulates, in its second sentence, that the decision of the Dispute Tribunal on a suspension of action application shall not be subject to appeal. Article 10 (2) of the statute stipulates that the Dispute Tribunal "may order an interim measure, which is without appeal, to provide temporary relief to either party, where the contested administrative decision appears prima facie to be unlawful, in cases of particular urgency, and where its implementation would cause irreparable damage. This temporary relief may include an order to suspend the implementation of the contested administrative decision, except in cases of appointment, promotion or termination."

152. As a result, orders of the Dispute Tribunal with regard to requests for suspension of action, namely, the implementation of an administrative decision, and interim orders of the Dispute Tribunal, in principle, cannot be appealed to the Appeals Tribunal, except in cases in which the appellant is asserting that the Dispute Tribunal exceeded its competence. Case management orders are not subject to appeal.

153. The deadline for appeal against an order of the Dispute Tribunal is 30 days from the date of service of the order on the parties.

154. In 2015, the Appeals Tribunal received three appeals against orders of the Dispute Tribunal filed on behalf of the Secretary-General.

155. One of the three appeals was withdrawn. In that case, the Dispute Tribunal issued its judgment on the merits before the Appeals Tribunal had the opportunity to adjudicate the appeal. The Appeals Tribunal disposed of the other two appeals in approximately seven and three months, respectively, and the matters are with the Dispute Tribunal.

156. The Appeals Tribunal received three appeals against orders of the Dispute Tribunal filed by staff members in 2015. In one case, the staff member filed an appeal against an order of the Dispute Tribunal together with an appeal against the related Dispute Tribunal judgment on the merits. The Appeals Tribunal disposed of both appeals in approximately 10 months. The Appeals Tribunal disposed of the other two appeals of orders in approximately 8.5 months.

13. Publication of the statutes of the Tribunals

157. In paragraph 41 of resolution 70/112, the General Assembly requested the Secretary-General to publish the statutes of the Dispute and Appeals Tribunals, as amended since their initial adoption by the Assembly, as soon as possible, but no later than at its seventy-first session.

158. Consolidated versions of both statutes, as amended, are available from the website of the Office of Administration of Justice.

14. Views of the Tribunals

159. In paragraph 42 of resolution 70/112, the General Assembly requested the Secretary-General to entrust the Internal Justice Council with including the views of both the Dispute Tribunal and the Appeals Tribunal in its reports. Those views are contained in the appendices to the report of the Internal Justice Council on the administration of justice at the United Nations (A/71/158).

IV. Other matters

160. In its report on the administration of justice at the United Nations and activities of the Office of the Ombudsman and Mediation Services (A/70/420), the Advisory Committee on Administrative and Budgetary Questions considered that it would be useful to include a glossary of legal terminology in future reports of the Secretary-General on the administration of justice to enhance the understanding of the readership. Such a glossary is available on the website of the Office of Administration of Justice.

161. Information on compensation paid in 2015 in accordance with recommendations by the Management Evaluation Unit, compensation awarded by the Tribunals in 2015 and compensation paid in 2015 in respect of previous awards by the Tribunals is set out in annex V to the present report.

V. Resource requirements

162. Resource requirements arising from the report of the Interim Independent Assessment Panel are contained in the report of the Secretary-General containing his comments and recommendations thereon (A/71/163).

VI. Conclusions and actions to be taken by the General Assembly

163. **The Secretary-General requests the General Assembly to give due consideration to the recommendations and proposals contained in the present report.**

164. **Accordingly, the Secretary-General requests the General Assembly:**

(a) To take note of:

(i) The report on progress made in the implementation of recommendations to address systemic and cross-cutting issues contained in the report of the Secretary-General on the activities of the Office of the United Nations Ombudsman and Mediation Services;

(ii) The promulgation of the revised terms of reference and guidelines for the Office of the United Nations Ombudsman and Mediation Services;

(iii) The data provided with respect to cases within the formal internal justice system and the observations made with respect to the data and emerging trends;

(iv) The information provided with respect to disputes involving non-staff personnel;

(v) The information provided with respect to the outcome of matters involving the accountability of managers whose decisions have been established to be grossly negligent, according to the applicable Staff Regulations and Rules of the United Nations, and which have led to litigation and subsequent financial loss;

(vi) The information provided with respect to the effectiveness of the Management Evaluation Unit;

(vii) The information provided with respect to the voluntary supplemental funding mechanism for additional resources for the Office of Staff Legal Assistance;

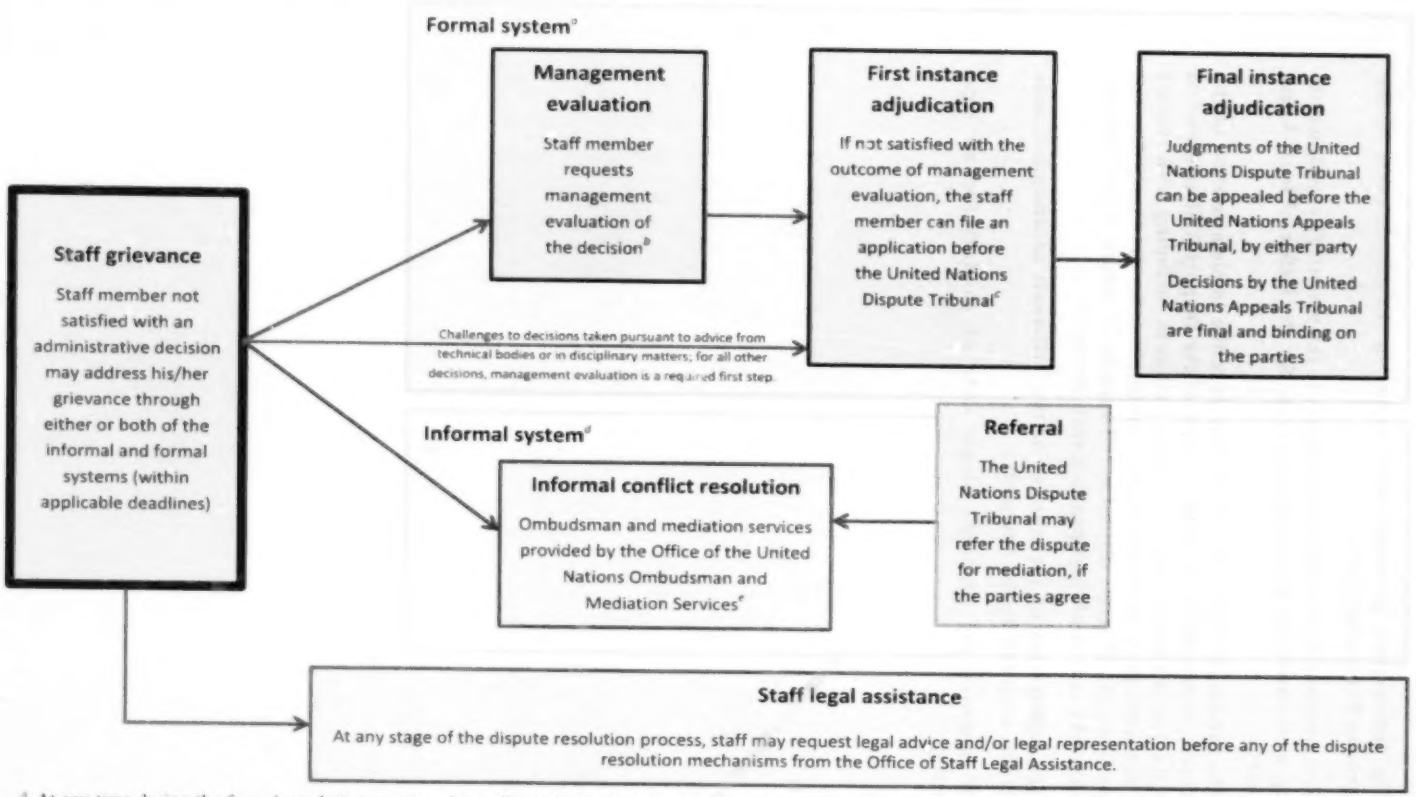
(viii) The information provided with respect to the implementation of the amendment to article 11 (3) of the statute of the Dispute Tribunal and to article 7 (5) of the statute of the Appeals Tribunal, including with respect to the administrative implications, any implications for the timely disposal of these cases, the ultimate disposition of appeals of orders, if any, and any costs saved by reason of stays pending such appeals;

(ix) The publication of the statutes of the Tribunals as amended since their initial adoption by the Assembly;

(b) To approve the proposed single code of conduct for all legal representatives.

Annex I

United Nations administration of justice flow chart


Formal system[c]
Management evaluation
Staff member requests management evaluation of the decision[b]
First instance adjudication
If not satisfied with the outcome of management evaluation, the staff member can file an application before the United Nations Dispute Tribunal[c]
Final instance adjudication
Judgments of the United Nations Dispute Tribunal can be appealed before the United Nations Appeals Tribunal, by either party
Decisions by the United Nations Appeals Tribunal are final and binding on the parties
Staff grievance
Staff member not satisfied with an administrative decision may address his/her grievance through either or both of the informal and formal systems (within applicable deadlines)
Challenges to decisions taken pursuant to advice from technical bodies or in disciplinary matters; for all other decisions, management evaluation is a required first step
Informal system[d]
Referral
The United Nations Dispute Tribunal may refer the dispute for mediation, if the parties agree
Informal conflict resolution
Ombudsman and mediation services provided by the Office of the United Nations Ombudsman and Mediation Services[e]
Staff legal assistance
At any stage of the dispute resolution process, staff may request legal advice and/or legal representation before any of the dispute resolution mechanisms from the Office of Staff Legal Assistance.

[a] At any time during the formal resolution process, the staff member and decision maker can attempt to resolve the dispute informally, with or without the assistance of the Office of the United Nations Ombudsman and Mediation Services.

[b] The evaluation entails an objective and reasoned assessment as to whether the contested decision was made in accordance with the rules. It is conducted by the Management Evaluation Unit for Secretariat entities; United Nations funds and programmes have a similar function. The purpose of this step is to give management a chance to correct itself or provide acceptable remedies in cases in which there has been flawed decision-making. The Management Evaluation Unit and the Office of Staff Legal Assistance can also suggest informal resolution of the dispute and refer to the Office of the United Nations Ombudsman and Mediation Services.

[c] The United Nations Dispute Tribunal hears and decides cases filed by or on behalf of current and former staff members appealing administrative decisions alleged to be in non-compliance with their terms of appointment or contract of employment.

[d] Attempts to resolve a dispute informally do not preclude formal resolution (within deadline) if informal resolution is unsuccessful.

[e] The Office of the United Nations Ombudsman and Mediation Services includes ombudsman and mediation services for the Secretariat and United Nations funds and programmes.

Annex II

Progress made in the implementation of recommendations to address systemic and cross-cutting issues contained in the report of the Secretary-General on the activities of the Office of the United Nations Ombudsman and Mediation Services

Abusive behaviour and incivility in the workplace

1. In the report of the Secretary-General on the activities of the Office of the United Nations Ombudsman and Mediation Services (see A/70/151, paras. 63-70), it was observed that there continued to be an influx of cases from staff who sought help in informally resolving what they perceived as disrespectful, harassing or discriminating behaviour, in some cases coupled with alleged abuse of authority. The Secretary-General has reiterated the importance of civil and respectful behaviour in the workplace and has taken a step further by continuing to encourage a collaborative, safe and supportive working environment and relationships across all levels of staff and managers. In this regard, the Secretariat continues to invest in staff development, notably through specific mentoring and coaching initiatives and programmes, such as the Leadership Development Programme, the Management Development Programme and the programmes on leadership, women and the United Nations, supervisory skills and conflict resolution. Senior managers are equally encouraged to integrate informal approaches and practices into everyday work interactions when building and nurturing conflict-free and supportive working environments. These may include just-in-time interventions using external facilitators for neutrality purposes, quick team retreats and one-on-one confidential meetings. The Secretariat continues to make learning materials and "how to" guides available for managers to put these interventions in place.

2. Furthermore, the Office of Human Resources Management continues to encourage the usage of coaching and mentoring options, as well as broader team building and conflict resolution efforts within the organizational development framework. Sessions on giving and receiving constructive feedback and holding difficult discussions with underperforming and non-performing staff members are integrated in all supervisory and managerial skill-building training. Furthermore, coaching staff members, providing them with continuous feedback and holding difficult conversations are included in the performance management framework and related training, in which first and second reporting officers are encouraged to practise their skills during the performance management discussions on an ongoing basis, as well as at the midpoint review and the end of cycle. The Secretariat will continue to provide support and training in conflict resolution, team building and managerial skills, since a harmonious manager-staff relationship is one of the important factors in employee morale, engagement and productivity.

3. The Office of the United Nations Ombudsman and Mediation Services has partnered with the Medical Services Division of the Office of Human Resources Management to undertake detailed research with the aim of better understanding some of the drivers of workplace incivility. The results of this research will help to inform workplace and individual interventions.

Strengthening investigations: a continuing imperative

4. In the report of the Secretary-General on the activities of the Office of the United Nations Ombudsman and Mediation Services, it was observed that the Organization needed to improve its capacity to investigate complaints of misconduct (see A/70/151, paras. 71-73). The Secretary-General has in previous reports set out in detail the ongoing efforts to improve investigative procedures (see A/68/346, annex V, paras. 14-16; A/69/227, annex III, para. 6; and A/70/187, annex II, paras. 13 to 16). The key reform aimed at addressing procedural aspects of investigations, in particular the procedural rights of witnesses and the alleged wrongdoer, is the revision to the administrative instruction on disciplinary measures and procedures (ST/AI/371 and Amend.1). The revised administrative instruction is expected to be promulgated in 2016. It will codify the procedures and standards applicable to internal investigations and the disciplinary process. This is expected to provide further certainty in the handling of internal investigations. With regard to investigations carried out under the Secretary-General's bulletin on the prohibition of discrimination, harassment, including sexual harassment, and abuse of authority (ST/SGB/2008/5), efforts to replace the peer-based investigations with investigations conducted under the auspices of the Office of Internal Oversight Services (see A/68/346, annex V, para. 16) have not moved forward because of cost constraints. The Office of Internal Oversight Services continues to provide training to proposed members of lay panels prior to such individuals undertaking investigations, and has recently proposed to offer refresher training to previously trained individuals.

5. The Secretary-General has also addressed efforts made to promote the use of options for informal resolution (see A/69/227, annex III, para. 7). In October 2014, comprehensive guidelines for managers with regard to their obligations under the policy relating to allegations of harassment and abuse of authority, (see ST/SGB/2008/5) were made available from the Human Resources Handbook. The guidelines note that even if a formal complaint has been made, it is still possible for the programme manager to explore informal resolution, such as mediation, before deciding to initiate a formal investigation. Furthermore, in 2014, the Chef de Cabinet sent a communication to all heads of departments/offices and the regional commissions recalling the obligation of managers to anticipate and resolve conflicts and encouraging the use of resources of the Office of the United Nations Ombudsman and Mediation Services to prevent or resolve workplace disputes. More generally, the Office of Human Resources Management continues to emphasize the importance of informal conflict resolution for individuals and teams and encourages managers to take advantage of the services of the Office of the United Nations Ombudsman and Mediation Services and participate in the mandatory performance management and development workshop for managers and supervisors. The Office of the United Nations Ombudsman and Mediation Services and the Office of Human Resources Management have been collaborating to enhance the training offered to staff and managers to assist them in developing the skills to manage conflict effectively. The Secretary-General agrees that the continuation of these efforts is crucial to safeguarding positive and productive working relationships and promoting organizational health.

Staff serving in dangerous regions

6. In the report of the Secretary-General on the activities of the Office of the United Nations Ombudsman and Mediation Services, it was also observed that, in exercising his authority under staff regulation 1.2 (c), the Secretary-General is to seek to ensure, having regard to the circumstances, that all necessary safety and security arrangements are made for staff carrying out the responsibilities entrusted to them. In this context as it relates to the organizational obligation to support the resilience of staff, the Field Personnel Division of the Department of Field Support is making efforts to bring increased standardization and to account for the different accommodation standards in field missions. The Office of Human Resources Management and the Field Personnel Division have worked in collaboration to update the criteria for reduction in below-substandard, substandard and shared accommodation for the purposes of rental deduction for United Nations-provided accommodation.

7. The Medical Services Division has led the work of the United Nations Medical Directors' Working Group to ensure that duty stations are supported by adequate health support planning. A standardized health risk assessment methodology has been developed and will be presented to the High-level Committee on Management. It is proposed that this will be underpinned by a governance framework to ensure that the right support is put in the right place at the right time.

8. Access to care is a key issue for staff serving in difficult locations. The Medical Services Division has also provided staff members with increased access to appropriate support services by having health insurance plans amended to include tele-health services (in particular, those relating to psychiatry and counselling) and has identified providers that are willing to deliver those services to United Nations staff serving across the world. While tele-health cannot meet every need, it can help with the timely diagnosis of a range of conditions and, most importantly, is proven to be effective for the delivery of psychological support services.

9. The Secretariat has made headway in its efforts to ensure that staff members posted to dangerous and/or remote duty stations are adequately prepared and supported to protect their well-being. In this regard, the Field Personnel Division ensures that staff members deploying to a field mission for the first time or over three years after they have left a mission engage in predeployment training. The Department of Peacekeeping Operations and the Department of Field Support recently conducted a comprehensive review of predeployment training, and the current model of face-to-face training is being updated to better meet organizational, mission and staff needs. The programme is to be delivered in a blended format that caters for the different needs of staff in terms of their level of experience and the nature of the duty stations to which they are to be posted.

10. The Staff Counsellor's Office has developed a resilience training package to support staff in difficult locations to maintain and improve their well-being. The training of trainers has been conducted to increase the reach of this training to difficult duty stations. Two additional modules on resilience and applying mindfulness-based stress reduction techniques are currently under development.

11. Furthermore, the Emergency Preparedness and Support Team and the Staff Counsellor's Office of the Office of Human Resources Management, in close coordination and cooperation with the Field Personnel Division, are delivering a

training programme on soft skills for crisis responders for staff and managers serving in field operations, and released a "soft skills" e-learning module to all United Nations staff members, which the Division is promoting to staff members in field missions. The Emergency Preparedness and Support Team and the Field Personnel Division will hold train-the-trainer sessions on soft skills for crisis responders and human resources training for mass casualty incidents and the human resources response, which are scheduled to be held in the final quarter of 2016 for the field operations in the Middle East and Africa. The Emergency Preparedness and Support Team has also issued guides entitled "Taking care of those who serve us: a resource guide for staff and families", and "Handbook for action in cases of death in service", both of which will be updated upon approval by the General Assembly of the revised appendix D to the Staff Rules.

12. As a means of protecting the well-being of staff members, the rest and recuperation policy provides for regular breaks from difficult and dangerous duty stations. In addition, the Office of Human Resources Management is finalizing a policy on danger pay, which will ensure transparency and promote understanding of the criteria, approval process and rates, and a policy on special leave with full pay for up to two weeks for staff affected by a critical incident. A framework for addressing concerns over the duty of care for all categories of personnel is under discussion. The human resources portal initiative, which includes an interactive map that will provide staff with a snapshot of duty stations (salary scale, post adjustment, hardship classification, non-family status, approval of danger pay and rest and recuperation), has been developed by the Office.

Effective communication with staff

13. The report of the Secretary-General takes note of the acknowledgement in previous reports that "the lack of effective communication can frequently be traced as the root of conflict" (see A/70/151, paras. 80-86). One of the core competencies for all staff, including managers, is communication. Accordingly, all staff members are evaluated against a specific set of behavioural indicators, including their openness to sharing information with others and keeping people informed. Communication skills and other competencies are reinforced through various training and integrated exercises.

14. The Secretariat continues to encourage managers to set up and integrate open and dynamic communication channels using technology and internal information-sharing platforms. Unite Connections is one of the platforms used in the Department of Management to share information effectively and in a timely fashion. The use of technology and online platforms is being leveraged to provide an interactive space for conversations and knowledge-sharing to take place. These may vary, from communicating at regularly scheduled team meetings, exchanging documents and sharing training materials, to posting announcements and blog posts and holding brainstorming sessions or networking with colleagues in offices away from Headquarters. Various communications tools are actively explored and utilized, including meetings and training through online platforms and videoconferencing. Offices away from Headquarters use some of these technologies depending on their particular needs, while being cognizant of the Internet connectivity limitations in field locations. With flexible working arrangements, the Secretariat continues to encourage all managers to be creative in using technologies to communicate effectively, while recognizing the limitations.

15. Downsizing is the subject of a Staff-Management Committee working group, the objective of which is to establish a global policy that covers restructuring, mitigation measures and staff retention exercises during periods of downsizing or reduction in force, structural change or reform initiatives.

16. To complement the existing internal communication plans on reforms and change management, the Office of Human Resources Management actively contributes and collaborates with other departments in knowledge-sharing activities. Staff members are provided with career support and development tools and information, which are made accessible and available to the global Secretariat. Through the communications working group of the Department of Management, cross-cutting issues are streamlined and messages are aligned accordingly.

17. Messaging and communications on human resources-related topics are aligned with the overall Department of Management and organizational strategy to connect with the work that staff do every day to implement mandates on the global humanitarian response, peace and security, human rights and sustainable development. Information on various organizational priorities and change management initiatives (such as enterprise resource planning and the staff selection and managed mobility system) are coordinated and published widely for staff consumption.

18. Given that there are more than 40,000 staff in the Secretariat and an overwhelming amount of information, messaging and communications approaches vary depending on the goals and content. Internal and external communications are targeted to reach particular groups of staff and managers, multipliers and others. Through the wider human resources community, the messages are targeted strategically and shared through various outlets and methods (online and through webinars, e-newsletters, town hall meetings, brown-bag lunches and e-mails, among others).

Looking ahead

19. In the report of the Secretary-General, the Office of the United Nations Ombudsman and Mediation Services advocates the incorporation of informal resolution processes, including mediation, into relevant administrative instructions, guidelines and rules so that they can become part of the management fabric of the Organization (see A/70/151, para. 89). Staff rule 11.1 refers to informal resolution; informal resolution is incorporated in the Secretary-General's bulletin on the prohibition of discrimination, harassment, including sexual harassment, and abuse of authority (ST/SGB/2008/5); and the information circular on conflict resolution in the United Nations Secretariat (ST/IC/2004/4) informs staff of the means available to them to address and resolve conflict situations that may arise in the workplace.

Annex III

Monthly opt-out rates and staff contributions under the voluntary supplemental funding mechanism

(United States dollars)

Entity	April 2014		May 2014		June 2014		July 2014		August 2014	
	Opt-out rate (percentage)	Contribution	Opt-out rate (percentage)	Contribution	Opt-out rate (percentage)	Contribution	Opt-out rate (percentage)	Contribution	Opt-out rate (percentage)	Contribution
UNHCR	35.28	8 935.31	36.65	8 324.03	38.62	8 151.82	38.51	8 163.61	39.29	8 098.68
UNON	58	3 304.03	62	1 907.64	66	1 789.20	65	1 798.00	65	1 783.00
UNOG	61	6 899	54	6 662.32	59	6 598.64	60	6 437.66	60	6 458.44
UNHQ	30.05	27 555.91	37.29	24 747.00	40.8	21 287.01	36.25	23 223.52	35.73	24 167.34
UNOV	69.87	1 114.10	68.94	1 234.17	73.82	967.76	75.18	926.88	75.52	867.4
ICTY	41	1 105.60	42	1 051.65	42	1 019.23	43	1 023.55	43	988.4
MICT	40	185.88	38	183.5	37	183.24	36	192.88	36	185.86
ECA	22.6	1 171.15	26.96	911.58	27.94	917.44	26.9	975.05	30.5	896.49
ECLAC	71.79	520.23	76.34	393.51	78.45	365.71	79	370.6	80	348.69
ESCAP	76	485.72	77	484.73	79	437.34	79	424.4	79	447.47
ESCWA	34	626.1	50.5	461.66	54.5	418.8	57	395.84	57.29	393.61
UNDP	–	–	–	–	–	–	39	19 427.00	39	18 457.00
UNICEF	–	–	–	–	–	–	83	6 892.01	85	3 296.58
Total		**51 903.03**		**46 361.79**		**42 136.19**		**70 251.00**		**66 388.96**

Entity	September 2014		October 2014		November 2014		December 2014		January 2015	
	Opt-out rate (percentage)	Contribution	Opt-out rate (percentage)	Contribution	Opt-out rate (percentage)	Contribution	Opt-out rate (percentage)	Contribution	Opt-out rate (percentage)	Contribution
UNHCR	38.62	8 108.05	39.35	8 062.65	39.03	8 229.30	38.31	8 302.00	37.64	8 450.98
UNON	66	1 721	65	1 694.00	66	1 692.00	66	1 692.00	68	1 624.00
UNOG	59	6 460.73	59	6 517.57	59	6 546.49	58	6 526.42	59	6 211.00
UNHQ	43.66	17 395.96	44.78	21 117.01	42.92	21 542.84	42.98	21 915.78	42.31	21 619.62
UNOV	76.82	879.09	77.67	903.57	77.51	904.56	77.74	888.45	77.38	807.61
ICTY	42	990.28	42	975.43	42	950.56	42	944.16	41	834.83
MICT	38	205.34	35	207.55	37	204.6	38	204.27	48	205.1
ECA	28.52	933.03	28.03	929.11	28.65	933.03	28.21	924.32	28.74	925.66
ECLAC	79.47	350.76	79.06	355.25	78.64	366.83	77.88	374.05	77.5	378.31
ESCAP	80	430.58	80	421.27	81	411.98	81	398.64	81	395.29
ESCWA	57.8	390.24	58.48	390.52	58.59	398.28	59.03	394.57	59.03	387.6
UNDP	39	18 341.25	40	18 125.00	40	18 090.00	40	18 245.00	40	18 359.00
UNICEF	85	3 817.82	85	3 644.20	85	3 568.82	86	3 505.71	86	3 555.65
Total		**60 024.13**		**63 343.13**		**63 839.29**		**64 315.37**		**63 754.65**

	February 2015		March 2015		April 2015		May 2015		June 2015	
Entity	*Opt-out rate (percentage)*	*Contribution*	*Opt-out rate (percentage)*	*Contribution*	*Opt-out rate (percentage)*	*Contribution*	*Opt-out rate (percentage)*	*Contribution*	*Opt-out rate (percentage)*	*Contribution*
UNHCR	38.51	8 325.58	37.44	8 511.06	38.36	8 486.16	38.18	8 505.97	37.47	8 619.51
UNON	68	1 631	73	1 593.00	73	1 617.00	73	1 992.00	56	2 221.40
UNOG	58	6 690.00	57	6 511.00	58	6 568.00	57	6 720.00	59	5 654.00
UNHQ	40.27	21 830.30	44.57	20 420.69	43.59	21 640.69	43.46	21 951.23	45.53	20 508.21
UNOV	77.58	817.68	78.24	780.65	77.55	811.58	78.02	808.31	78.42	774.17
ICTY	42	796.58	46	791.67	48	760.74	48	769.22	48	757.48
MICT	42	237.29	46	253.89	46	228.03	44	237.99	44	230.62
ECA	27.53	981.24	27	1 063.79	28.29	1 076.73	21.26	1 179.34	27.09	1 014.19
ECLAC	78.06	362.38	78.29	365.28	78.61	356.15	77.69	380.67	77.58	380.53
ESCAP	82	394.15	82	392.94	83	376.31	82	388.04	65	655.68
ESCWA	59.03	392.99	59.9	384.07	60.36	401.53	60.26	375.16	60.26	369.4
UNDP	40	17 812.00	40	17 820	41	18 074	41	17 769	41	17 760.51
UNICEF	86	3 387.78	86	3 414	86	3 374	87	3 282.52	87	3 233.49
Total		**63 658.97**		**62 302.13**		**63 771**		**64 359.45**		**62 179.19**

	July 2015		August 2015		September 2015		October 2015	
Entity	*Opt-out rate (percentage)*	*Contribution*	*Opt-out rate (percentage)*	*Contribution*	*Opt-out rate (percentage)*	*Contribution*	*Opt-out rate (percentage)*	*Contribution*
UNHCR	37.09	8 757.80	37.43	8 637.50	36.81	8 978.12	37.12	9 014.63
UNON	56.62	2 110.28	55.11	2 134.00	52.14	2 145.81	49.98	2 206.19
UNOG	58	3 934.00	59	3 942.00	59	3 970.00	57	4 042.00
UNHQ	–45	19 388.80	–45	20 077.70	–45	19 753.69	–45	19 940.15
UNOV	78.98	768.07	78.68	749.08	78.81	785.48	78.74	808.26
ICTY	44	695.77	44	631.3	43	622.37	48	–
MICT	43	243.91	49	249.07	48	260.1	32	–
ECA	19.23	1 050.32	19.03	1 063.46	19.07	998.38	33.68	1 117.31
ECLAC	78.06	370.31	78.04	363.81	77.97	362.52	78.33	359.05
ESCAP	67	621.87	68	599.77	69	589.26	69	579.95
ESCWA	59.02	402.72	59.9	412.48	57.4	402.11	57.32	403.16
UNDP	41	18 007.00	41	17 687	41	17 822	41	17 872
UNICEF	88	3 128.30	88	3 175.74	88	3 183.77	88	3 125.50
Total		**59 479.15**		**59 722.91**		**59 873.61**		**59 468.20**

Entity	November 2015[a]		December 2015		January 2016		February 2016		March 2016	
	Opt-out rate (percentage)	Contribution	Opt-out rate (percentage)	Contribution	Opt-out rate (percentage)	Contribution	Opt-out rate (percentage)	Contribution	Opt-out rate (percentage)	Contribution
UNHCR	36.79	9 144.83	36.39	9 284.35	36.56	8 991.22	35.75	9 431.77	38.01	9 255.78
UNON, UNOG, UNHQ, UNOV, ICTY, MICT, ECA, ECLAC, ESCAP and ESCWA	43.8	38 258.86	44	37 876.24	43.7	37 537.08	43.6	37 535.32	44.9	37 970.46
UNDP	41	17 542.00	41	17 672.00	42	16 252	42	16 920	42	16 204.00
UNICEF	88	3 102.25	87	3 125.04	87	3 061.11	88	3 087.60	87	3 036.61
Total		**68 047.94**		**67 957.63**		**65 841.41**		**66 974.69**		**66 466.85**

Entity	April 2016		May 2016		June 2016	
	Opt-out rate (percentage)	Contribution (US$)	Opt-out rate (percentage)	Contribution (US$)	Opt-out rate (percentage)	Contribution
UNHCR	38.09	9 373.21	38.37	9 416.18	35.84	9 702.12
UNON, UNOG, UNHQ, UNOV, ICTY, MICT, ECA, ECLAC, ESCAP and ESCWA	44.6	38 313.24	44.2	38 006.27	43.24	38 322.68
UNDP	42	16 315.00	42	16 228.00	42	16 283
UNICEF	89	3 037.74	89	2 996.77	89	2 968.40
Total		**67 039.19**		**66 647.22**		**67 276.20**
Total contributions as at June 2016						**1 683 383.28**

Abbreviations: ECA, Economic Commission for Africa; ECLAC, Economic Commission for Latin America and the Caribbean; ESCAP, Economic and Social Commission for Asia and the Pacific; ESCWA, Economic and Social Commission for Western Asia; ICTY, International Tribunal for the Former Yugoslavia; MICT, International Residual Mechanism for Criminal Tribunals; UNDP, United Nations Development Programme; UNHCR, Office of the United Nations High Commissioner for Refugees; UNHQ, United Nations Headquarters; UNICEF, United Nations Children's Fund; UNOG, United Nations Office at Geneva; UNON, United Nations Office at Nairobi; UNOV, United Nations Office at Vienna.

Annex IV

Proposed single code of conduct for all legal representatives

Code of Conduct for Legal Representatives

Preamble

Whereas the General Assembly, in its resolution 69/203 of 18 December 2014, stressed the need to ensure that all individuals acting as legal representatives appearing before the United Nations Dispute Tribunal and the United Nations Appeals Tribunal are subject to the same standards of professional conduct, and requested the submission of a single code of conduct for all legal representatives, without prejudice to other lines of disciplinary authority,

The following provisions are adopted.

Article 1
Definitions

In the present Code, the following terms shall mean:

Code: the present Code of Conduct for Legal Representatives acting in proceedings before the United Nations Dispute Tribunal or the United Nations Appeals Tribunal, as approved by the General Assembly;

Legal representative: an individual who acts on behalf of a party or who represents himself or herself in proceedings before the United Nations Dispute Tribunal or the United Nations Appeals Tribunal;

Party: the applicant or the respondent in proceedings before the United Nations Dispute Tribunal or the appellant or the respondent in proceedings before the United Nations Appeals Tribunal;

Statutes: the statutes of the United Nations Dispute Tribunal and the United Nations Appeals Tribunal, as adopted by the General Assembly in its resolution 63/253, as amended;

Rules of procedure: The rules of procedure of the United Nations Dispute Tribunal and the United Nations Appeals Tribunal, as approved by the General Assembly in its resolution 64/119, as amended;

UNDT: The United Nations Dispute Tribunal, established by its statute as the first instance of the two-tier formal system of administration of justice at the United Nations;

UNAT: The United Nations Appeals Tribunal, established by its statute as the second instance of the two-tier formal system of administration of justice at the United Nations and as the final instance for those entities that have accepted its jurisdiction under Article 2(10) of its Statute;

Tribunal(s): UNDT and UNAT, individually or collectively.

Article 2
Purpose

The present Code describes the conduct expected of legal representatives in proceedings before the Tribunals in the interest of the fair and proper administration of justice.

Article 3
Acknowledgement

By acting in proceedings before the Tribunals, legal representatives acknowledge the provisions of the present Code.

Article 4
Basic standards

1. Legal representatives shall maintain the highest standards of integrity and professionalism and shall at all times act honestly, candidly, fairly, courteously, in good faith and without regard to external pressures or extraneous considerations.

2. Legal representatives shall act diligently and efficiently and shall avoid unnecessary delay in the conduct of proceedings.

3. Legal representatives should encourage and facilitate dialogue between the parties with a view to settling disputes in appropriate cases.

Article 5
Conflict of interest

1. Legal representatives shall put the interests of the party they represent before their own interests and the interests of others, and shall not represent conflicting interests in proceedings.

2. Where a conflict of interest arises, legal representatives shall promptly:

(a) Disclose the conflict to the party they represent;

(b) Take all reasonable steps to mitigate the conflict; and

(c) Withdraw themselves as legal representatives if the conflict cannot be mitigated.

3. A party may waive a conflict of interest and consent to the legal representative continuing to act in proceedings.

Article 6
Confidentiality

1. Legal representatives shall maintain the confidentiality of the proceedings of the Tribunals in accordance with the provisions of the statutes and rules of procedure, or as otherwise ordered by the Tribunals.

2. Legal representatives shall respect the confidential character of any information imparted to them in confidence in the proceedings.

3. Legal representatives shall not communicate to any Government, entity, person or any other source any information known to them by reason of their representation

that they know or ought to have known has not been made public, except as appropriate to the normal course of their representation or by authorization of the Tribunals.

4. The obligations of confidentiality set forth in this article remain even after the representation before the Tribunals has ended.

Article 7
Withdrawal of representation

1. Legal representatives may withdraw their representation of a party where they reasonably consider that good cause to do so exists.

2. In withdrawing representation, legal representatives shall take steps to the extent reasonably practicable to protect the party's interests.

3. Legal representatives shall promptly communicate such withdrawal in writing to the party they represent and the relevant Registry.

Article 8
Relations with the Tribunals

1. Legal representatives shall assist the Tribunals to maintain the dignity and decorum of proceedings and avoid disorder and disruption.

2. Legal representatives shall be diligent in complying with the statutes, the rules of procedure, practice directions and orders, rulings or directions that may be issued by the Tribunals.

Article 9
Administration of the Code

The Tribunals may issue orders, rulings or directions in order to implement the provisions of the present Code.

Annex V

Compensation recommended by the Management Evaluation Unit and awarded by the Tribunals in 2015 or paid in 2015

A. Compensation paid in accordance with recommendations by the Management Evaluation Unit[a]

Department of decision maker	*Compensation*	*Level of staff member*	*Amount (United States dollars)*	*Reason for compensation*
DFS-UNAMI	2 months' NBS	P-5/2	15 209.17	Breaches in selection process
DFS-UNMISS	2 months' NBS	P-3/5	11 366.17	Breaches in selection process
OCHA-Geneva	1 month's NBS	P-4/4	6 510.33	Delays in notification (withdrawal of offer)
DFS-UNAMID	5 months' NBS	P-5/4	38 711.25	Administration's response to complaint of misconduct
DFS-UNAMID	6 months' NBS	GL-4	6 437.71	Errors in comparative review process (termination indemnity)
DFS-UNMISS	4 months' NBS	P-3/6	21 638.00	Violation of due process rights
DFS-UNISFA	6 months' NBS	FS-7/7	41 499.00	Unlawful reassignment
DFS-UNAMID	Fixed amount	P-5/11	500.00	Delays in implementation of earlier settlement
DFS-UNGSC	Fixed amount	P-3/7	3 000.00	Failure to adequately substantiate due process
DFS-UNSOM	1 month's NBS	FS-5/6	4 643.50	Violation of due process rights in the selection process
Total			**149 515.13**	

Abbreviations: DFS, Department of Field Support; NBS, net base salary; OCHA, Office for the Coordination of Humanitarian Affairs; UNAMI, United Nations Assistance Mission for Iraq; UNAMID, African Union-United Nations Hybrid Operation in Darfur; UNGSC, United Nations Global Service Centre; UNISFA, United Nations Interim Security Force for Abyei; UNMISS, United Nations Mission in South Sudan; UNSOM, United Nations Assistance Mission in Somalia.

[a] Reflects compensation paid in cases received in 2015, as well as compensation paid in 2015 for cases carried over from 2014.

B. Monetary compensation awarded by the Tribunals in 2015 or paid in 2015

Dispute Tribunal judgment No.	*Registry*	*Entity of decision-maker*	*Compensation awarded/costs ordered by the Dispute Tribunal*	*Appeals Tribunal judgment*	*Affirmed/vacated/rejected compensation awarded by the Appeals Tribunal*	*Net amount paid (United States dollars)*	*Date*
UNDT/2014/122	Nairobi	MONUC	(i) Decision to dismiss rescinded; (ii) 1 year's net base salary in damages; (iii) $5,000 as moral damages	–	–	19 812.00	31 March 2015
UNDT/2014/133	Nairobi	MONUSCO	Decision to pay an award of $49,114.03 for loss of a leg rescinded; initial award of $120,000 ordered	–	–	73 075.30	6 March 2015
UNDT/2014/134	Nairobi	OHRM	(i) Recovery of overpayments rescinded; (ii) Monies to be refunded	–	–	25 831.91	30 January 2015
UNDT/2015/002	Geneva	UNICEF	$2,000 for moral damages in connection with loss of permanent appointment	Order No. 224 (2015); appeal withdrawn by applicant after settlement inter partes	–	Settlement at Appeals Tribunal stage	–
UNDT/2015/004	Nairobi	UNMISS	(i) Respondent to reinstate applicant or pay compensation of 2 years' net base salary; (ii) 3 months' net base salary compensation for substantive irregularity; (iii) 3 months' net base salary for procedural irregularity	2015-UNAT-604	Appeal not receivable	94 324.16	3 March 2016
UNDT/2015/011	Nairobi	MONUSCO	(i) Erroneous calculation of lump-sum travel; (ii) Compensation in the amount of $475.75 plus interest at the United States prime interest rate from 18 December 2012 to date of payment	–	–	512.35	30 April 2015
UNDT/2015/012	New York	DPKO	(i) Compensation in the form of a monetary equivalent of special post allowance from the G-4 to G-5 level, retroactive from 25 January 2000;	2015-UNAT-605	(i) and (ii): affirmed (iii) and (iv): vacated	85 658.13	3 March 2016

Dispute Tribunal judgment No.	*Registry*	*Entity of decision-maker*	*Compensation awarded/costs ordered by the Dispute Tribunal*	*Appeals Tribunal judgment*	*Affirmed/vacated/rejected compensation awarded by the Appeals Tribunal*	*Net amount paid (United States dollars)*	*Date*
			(ii) $1,000 for loss of opportunity for promotion on post encumbered for over 11 years; (iii) $1,000 for any costs/expenses incurred in relation to proceedings; (iv) $3,000 costs for abuse of process				
UNDT/2015/020	New York	DSS/SSS	(i) Non-conversion to permanent appointment rescinded; (ii) ASG/OHRM directed to reconsider whether applicant's contract should be converted; (iii) $10,000 as moral damages for anxiety and stress suffered as a direct consequence of the decision and the manner in which applicant was treated	2016-UNAT-614	Affirmed	10 000	6 April 2015[a]
UNDT/2015/031	New York	OHRM	(i) Classification decision and recommendation rescinded; (ii) Classification appeal remanded for reconsideration; (iii) $20,000 to each of the applicants (23 in total)	2016-UNAT-615	(i): affirmed (ii): vacated (iii): vacated; 4 applicants to each be paid 3 years' net base salary at salary rate of the judgment date	–	Payment pending
				2016-UNAT-622	(i): affirmed (ii) vacated (iii) vacated; 7 applicants to each be paid 3 years' net base salary at salary rate of the judgment date; 11 applicants to each be paid 3 years' net base salary at salary rate of separation date	–	
UNDT/2015/044	Geneva	OHRM	(i) Decision not to convoke applicant to the young professionals programme rescinded; (ii) $2,000 for moral damages	–	–	2 007.84	7 September 2015

Dispute Tribunal judgment No.	*Registry*	*Entity of decision-maker*	*Compensation awarded; costs ordered by the Dispute Tribunal*	*Appeals Tribunal judgment*	*Affirmed; vacated; rejected; compensation awarded by the Appeals Tribunal*	*Net amount paid (United States dollars)*	*Date*
UNDT/2015/048	Nairobi	UN-Women	(i) Respondent to reinstate applicant in the next available country representative position at the P-5 level or pay compensation of 2 years' net base salary, salary at the upgraded P-5 level since the time of her separation; (ii) 3 months' net base salary as compensation for the substantive irregularity; (iii) 3 months' net base salary for the procedural irregularities	2016-UNAT-638	(i) alternate remedy reduced to 1 year's net base salary, to be calculated from date of separation to date of Appeals Tribunal judgment (ii) and (iii) vacated	–	Payment pending
UNDT/2015/051	Geneva	OHRM	$3,000 for inordinate delay in handling discrimination and harassment complaint	–		3 000	13 August 2015
UNDT/2015/053	Nairobi	ICTR	(i) 3 months' net base salary for moral damages; (ii) Respondent to grant the applicant home leave; if applicant is no longer with the Organization, respondent to pay equivalent of her home leave entitlement	–	–	22 384.00	5 October 2015
UNDT/2015/059	Nairobi	UNPOS	6 months' net base salary for delay in handling applicant's disciplinary case	–	–	4 427.84	20 August 2015
UNDT/2015/066	New York	DPI	(i) Respondents ordered to pay the difference between the amount already paid — $30,242.80 — and amount applicable under appendix D to the Staff Rules at the date of maximum medical improvement and interest on this amount; (ii) Interest on $1,494.80 from date of maximum medical improvement until payment date	–	–	1 463.81	20 October 2015
UNDT/2015/071	New York	DSS/SSS	$3,000 for moral damages; decision that the applicant did not meet one competency at a competency-based interview was flawed	Appeal pending	–	– –	

Dispute Tribunal judgment No.	*Registry*	*Entity of decision-maker*	*Compensation awarded/costs ordered by the Dispute Tribunal*	*Appeals Tribunal judgment*	*Affirmed/vacated/rejected compensation awarded by the Appeals Tribunal*	*Net amount paid (United States dollars)*	*Date*
UNDT/2015/081	Nairobi	ECA	(i) 8 months' net base salary for premature abolition of post; (ii) 1 month's net base salary as moral damages for failure to follow rules in abolishing post and not extending contract in the middle of a biennium without the required approvals	Appeal pending	–	–	–
UNDT/2015/088	Geneva	UNAMA	Compensation of $37,900.24 for the inordinate delay in handling the applicant's complaint	Appeal pending	–	–	–
UNDT/2015/104	New York	DSS	(i) Decision to reject the applicant's complaint of harassment and discrimination rescinded; (ii) $3,000 for moral damages	–	–	3 008.91	17 February 2016
UNDT/2015/106	New York	DGACM	(i) $3,000 for moral damages for breach of the applicant's right to be fully and fairly considered for post	Appeal pending	–	–	–
UNDT/2015/107	New York	DSS	(i) Decision to place applicant on weapons restriction rescinded; (ii) Respondent to review sanction; (iii) $5,000 for moral damages	Appeal pending	–	–	–
UNDT/2015/109	Nairobi	UNICEF	(i) 2 years' net base salary at G-7 level for loss of opportunity caused by the failure to follow its own guidelines, rules and procedures; applicant had a 100 per cent chance of selection for post of Programme Assistant and two-year contract; (ii) 3 months' net base salary at the G-6 level for undue influence exerted, which led to non-selection of the applicant	Appeal pending	–	–	–
UNDT/2015/112	Nairobi	MONUSCO	$1,500 for suspension of driver's permit, which directly compromised the applicant's ability to travel safely to and from work in a highly dangerous situation			1 508.77	12 October 2015

Dispute Tribunal judgment No	*Registry*	*Entity of decision-maker*	*Compensation awarded costs ordered by the Dispute Tribunal*	*Appeals Tribunal judgment*	*Affirmed vacated rejected compensation awarded by the Appeals Tribunal*	*Net amount paid (United States dollars)*	*Date*
UNDT/2015/115	Geneva	OHRM	(i) Decisions denying 246 applicants conversion of fixed-term appointment to permanent appointment are rescinded and remanded for reconsideration within 90 days of judgment; (ii) €3,000 for moral damages to each applicant	Appeal pending	–		– –
UNDT/2015/116	Geneva	OHRM	(i) Decisions denying 8 applicants conversion of fixed-term appointment to permanent appointment are rescinded and remanded for reconsideration within 90 days of judgment; (ii) €3,000 for moral damages to each applicant	Appeal pending	–		– –
UNDT/2015/117	Geneva	OHRM	(i) Decision denying applicant conversion of fixed-term appointment to permanent appointment is rescinded and remanded for reconsideration within 90 days of judgment; (ii) €3,000 for moral damages to applicant	Appeal pending	–		– –
UNDT/2015/119	Nairobi	UNHCR	(i) Decision to separate applicant without notice or termination indemnity is rescinded and respondent ordered to reinstate applicant; alternatively, respondent is to pay compensation equal to six months' net base salary; (ii) Respondent is to pay applicant compensation for the amount for prepaid accommodation forfeited as a result of the early termination of fixed-term appointment upon receipt, within 30 days, of documentary evidence to support claim	–	–	37 867.54	4 March 2016

Dispute Tribunal judgment No.	*Registry*	*Entity of decision-maker*	*Compensation awarded [and/or ordered] by the Dispute Tribunal*	*Appeals Tribunal judgment*	*Affirmed, vacated, rejected [or dismissed] by the Appeals Tribunal*	*Net amount paid [United States dollars]*	*Date*
UNDT/2015/120	Nairobi	UNHCR	(i) Finding of misconduct against applicant is rescinded. (ii) Decision to impose disciplinary measures of a written censure and a fine of 1 month's net base salary on applicant is rescinded. (iii) Respondent to reimburse applicant for the fine and remove the written censure from applicant's official status file	—	—	8 503.92*	8 March 2016
UNDT/2015/125	New York	OHRM	$3,000 for moral damages to compensate applicant for breach of right to proper consideration of his request for an exception and for the resultant loss of chance of promotion	Appeal pending	—	—	—

Abbreviations: ASG, Assistant Secretary-General; DGACM, Department for General Assembly and Conference Management; DPI, Department of Public Information; DPKO, Department of Peacekeeping Operations; DSS, Department of Safety and Security; ECA, Economic Commission for Africa; ICTR, International Criminal Tribunal for Rwanda; MONUC, United Nations Organization Mission in the Democratic Republic of the Congo; MONUSCO, United Nations Organization Stabilization Mission in the Democratic Republic of the Congo; OHRM, Office of Human Resources Management; SSS, Security and Safety Service; UNAMA, United Nations Assistance Mission in Afghanistan; UNHCR, Office of the United Nations High Commissioner for Refugees; UNICEF, United Nations Children's Fund; UNMISS, United Nations Mission in South Sudan; UNPOS, United Nations Political Office for Somalia; UN-Women, United Nations Entity for Gender Equality and the Empowerment of Women.

* The amount was paid following the Dispute Tribunal judgment, even though the judgment was appealed to the Appeals Tribunal. The Appeals Tribunal affirmed the Dispute Tribunal judgment.